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THE SCRIBES OF THE TORAH

The Formation of the Pentateuch in Its Literary and Historical Contexts

Konrad Schmid



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Preface

Who were the scribes of the Torah? When did they write specific parts of the Torah? When, how, and why was the Torah composed? Possible answers to these questions seemed clearer and more readily available several decades ago. This, however, does not mean that we know less regarding the writing and composition of the Torah than at the end of the twentieth century. On a global scale, now we are more aware of the shortcomings and fallacies of the assumed consensus that reigned in pentateuchal scholarship from Wellhausen to Rendtorff and from Hupfeld to Van Seters. The modification and possibly even the abandonment of traditional assumptions in scholarship cannot be seriously considered as a dominant backdrop of pentateuchal research. Rather, it paves the way to more accurate and better-founded assumptions regarding the scribes of the Torah and their work. It thereby enables a better reconstruction of the historical framework of the Pentateuch's genesis.

This book does not claim to describe who the scribes of the Torah were or the nature of their work. No one is in such a position. This simply arises from the fact that we know the Torah only from copies of copies. There are simply not enough external data to clearly verify or falsify certain hypotheses about the Torah's composition. Furthermore, one can reconstruct the scribal culture from which it emerged largely only from the Torah itself.¹ What we can attempt, however, is the consideration of possible relatives and sometimes even absolute dates for the various texts and compositions in the Pentateuch. We can offer evaluations of the logic of the history of scholarship, which sometimes yielded convincing results and sometimes led the discussion astray. We can weigh possible parallels

1. See, however, Israel Finkelstein, "Jerusalem and Judah 600-200 BCE: Implications for Understanding Pentateuchal Texts," in *The Fall of Jerusalem and the Rise of the Torah*, ed. Peter Dubovský, Dominik Markl, and Jean-Pierre Sonnet, FAT 107 (Tübingen: Mohr Siebeck, 2016), 3–18.

from ancient Near Eastern cultures to help assess theories regarding the formation of the Pentateuch and the scribal culture that produced it. This is and will be an open discussion that has to include as much evidence as possible from various fields, such as literary history, comparative cultural history, historical linguistics, epigraphy, and archaeology.

The essays collected in this book have been written over the course of the past twenty years. My research on the Pentateuch goes back to the 1990s, when I was working as an assistant to Odil Hannes Steck in Zurich. He had asked me to put together a survey of recent pentateuchal scholarship for him because he was preparing a lecture course on the literary history of the Hebrew Bible. On the one hand, he felt increasingly uneasy with the traditional Documentary Hypothesis. On the other, his impression was that there were important new developments in pentateuchal research about which he wanted to be better informed. It was in 1995, that is, the last year of writing my dissertation on the book of Jeremiah, that I started to work on this survey for Steck. When I finished this research a few months later, I had a first draft of what later became my Habilitationsschrift "Erzväter und Exodus."² Most revealing for me were the insights of Albert de Pury and Thomas Römer on the literary relationship between the ancestral stories in the book of Genesis and the exodus story in the subsequent books of the Pentateuch.³

Once my Habilitationsschrift was published in 1999 (it argued that the Priestly document was the first literary source to provide a literary link between what later became Genesis and Exodus), I quickly became aware of the works by Jan Christian Gertz and Markus Witte,⁴ who came to comparable, even similar conclusions by pursuing quite different

2. Konrad Schmid, *Genesis and the Moses Story: Israel's Dual Origins in the Hebrew Bible* (Winona Lake: Eisenbrauns, 2010); trans. of *Erzväter und Exodus: Untersuchungen zur doppelten Begründung der Ursprünge Israels in den Geschichtsbüchern des Alten Testaments*, WMANT 81 (Neukirchen-Vluyn: Neukirchener Verlag, 1999).

3. See, e.g., Albert de Pury, "Le cycle de Jacob comme légende autonome des origines d'Israël," in *Congress Volume Leuven 1989*, ed. John A. Emerton, VTSup 43 (Leiden: Brill, 1991), 78–96; Thomas Römer, *Israels Väter: Untersuchungen zur Väterthematik im Deuteronomium und in der deuteronomistischen Tradition*, OBO 99 (Fribourg: Editions Universitaires; Göttingen: Vandenhoeck & Ruprecht, 1990).

4. Jan C. Gertz, *Tradition und Redaktion in der Exoduserzählung: Untersuchungen zur Endredaktion des Pentateuchs*, FRLANT 186 (Göttingen: Vandenhoeck & Ruprecht, 2000); Markus Witte, *Die biblische Urgeschichte: Redaktions- und theologiegeschichtliche Beobachtungen zu Genesis 1,1–11,26*, BZAW 265 (Berlin: de Gruyter, 1998).

approaches. Collaboration and friendship with Jan Christian Gertz and Markus Witte led to the volume *Abschied vom Jahwisten* (2002)⁵ and to the textbook *Grundinformation Altes Testament* (2006), which became quite successful in German-speaking theological education (the sixth edition was published in 2019);⁶ its third edition was also translated into English.⁷

Starting in 2003, I began attending the SBL Annual Meetings in North America. I became a member of the steering committee of the Pentateuch section, where I met David Carr, Tom Dozeman, Baruch Schwartz, Ben Sommer, and others. For a few years, I cochaired the section with Tom Dozeman, and one of the results of the collaboration with him was the volume *A Farewell to the Yahwist?* (2006).⁸

For the academic year 2012–2013, Bernard M. Levinson, Baruch Schwartz, and I put together a research team for the Israel Institute of Advanced Studies at the Hebrew University of Jerusalem to work on the topic “Convergence and Divergence in Pentateuchal Theory: Bridging the Academic Cultures of Israel, North America, and Europe.” The group included, in addition to the three conveners, Sara Japhet, Dalit Rom-Shiloni, Jan Gertz, Shimon Gesundheit, and Ben Sommer, as well as short-term guests Joel Baden and Jeffrey Stackert. The proceedings of the conferences of this research group were published in the volume *The Formation of the Pentateuch*.⁹ Although there was some hope to bring the different discourses on the composition of the Pentateuch closer together, the main effect of this research group and its conferences was to gain a better and deeper awareness of the basic differences of the divergent methodological approaches. This comprehensive volume therefore repre-

5. Jan Christian Gertz, Markus Witte, and Konrad Schmid, eds., *Abschied vom Jahwisten: Die Komposition des Hexateuch in der jüngsten Diskussion*, BZAW 315 (Berlin: de Gruyter, 2002).

6. Jan Christian Gertz et al., *Grundinformation Altes Testament: Eine Einführung in Literatur, Religion und Geschichte des Alten Testaments*, 6th ed., UTB 2745 (Göttingen: Vandenhoeck & Ruprecht, 2019).

7. Jan Christian Gertz et al., *T&T Clark Handbook of the Old Testament: An Introduction to the Literature, Religion and History of the Old Testament*, trans. Jennifer Adams-Maßmann et al. (London: T&T Clark, 2012).

8. Thomas B. Dozeman and Konrad Schmid, eds., *A Farewell to the Yahwist? The Composition of the Pentateuch in Recent European Interpretation*, SymS 34 (Atlanta: SBL, 2006).

9. Jan C. Gertz et al., eds., *The Formation of the Pentateuch: Bridging the Academic Cultures of Europe, Israel, and North America*, FAT 111 (Tübingen: Mohr Siebeck, 2016).

sents the juxtaposition of a variety of positions, and it remains to be seen whether the next few decades can forge new consensuses from this broad outline of different perspectives.

In response to the current situation, this volume of collected essays of mine serves as an attempt to provide a broad overview to my own perspective within this conversation. Some of the texts were published originally in English; others were written in German and have now been translated into English. Unless otherwise indicated (see pp. 3 and 23), most are reprinted here with no or only slight changes or updates. The essays are arranged in the following groups: (1) The Pentateuch in the Enneateuch; (2) History of Scholarship; (3) The Formation of the Torah; (4) Genesis; (5) The Moses Story; (6) The Priestly Document; (7) Legal Texts; and (8) The Pentateuch in the History of Ancient Israel's Religion. The locations of the original publications can be found below.

My thanks go first and foremost to Dr. Peter Altmann, who translated those essays previously published in German into English and, together with Dr. Jordan Davies and Dr. Hans Decker, prepared the manuscript for publication. Mirijam Baumann and Diana Haibucher produced the indexes for this volume; I am very grateful for their work. In addition, I thank Brill, Cambridge University Press, de Gruyter, Droz, Harrassowitz, Mohr Siebeck, Penn State University Press, and Vandenhoeck & Ruprecht for allowing me to reprint the articles assembled in this collection. Finally, I thank the editorial board of AIL for accepting this book for their series and especially Bob Buller and Nicole Tilford from SBL Press for their work and support.

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Konrad Schmid

Original Publication Information

1. "Buchtechnische und sachliche Prolegomena zur Enneateuchfrage." Pages 1–14 in *Auf dem Weg zur Endgestalt von Gen–II Regum: Festschrift Hans-Christoph Schmitt zum 65. Geburtstag*. Edited by Martin Beck and Ulrike Schorn. BZAW 370. Berlin: de Gruyter, 2006.
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17. "Die Rückgabe der Verheissungsgabe: Der 'heilsgeschichtliche' Sinn von Genesis 22 im Horizont innerbiblischer Exegese." Pages 271–300

- in *Gott und Mensch im Dialog: Festschrift für Otto Kaiser zum 80. Geburtstag*. Edited by Markus Witte. BZAW 345.1. Berlin: de Gruyter, 2004.
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- im Alten Testament*. FAT 77. Tübingen: Mohr Siebeck, 2011.
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Abbreviations

A ³ P	Artaxerxes III, Repairs to the Palace of Darius
AASF	Annales Academiae Scientiarum Fennicae
ÄAT	Ägypten und Altes Testament
AB	Anchor (Yale) Bible
ABD	Freedman, David Noel, ed. <i>Anchor Bible Dictionary</i> . 6 vols. New York: Doubleday, 1992.
ABIG	Arbeiten zur Bibel und ihrer Geschichte
ABRL	Anchor (Yale) Bible Reference Library
ABS	Archaeology and Biblical Studies
abs.	absolute
ACEBT	<i>Amsterdamse Cahiers voor Exegese in bijbelse Theologie</i>
ADPV	Abhandlungen des Deutschen Palästina-Vereins
AGJU	Arbeiten zur Geschichte des antiken Judentums und des Urchristentums
AJA	<i>American Journal of Archaeology</i>
AJSL	<i>American Journal of Semitic Languages and Literatures</i>
AnBib	Analecta Biblica
ANEM	Ancient Near East Monographs
ANEP	Pritchard, James B., ed. <i>The Ancient Near East in Pictures Relating to the Old Testament</i> . 2nd ed. Princeton: Princeton University Press.
ANET	Pritchard, James B., ed. <i>Ancient Near Eastern Texts Relating to the Old Testament</i> . 3rd ed. Princeton: Princeton University Press, 1969.
Ant.	Josephus, <i>Jewish Antiquities</i>
ANTZ	Arbeiten zur neutestamentlichen Theologie und Zeitgeschichte
AOAT	Alter Orient und Altes Testament
Apoc. Ab.	Apocalypse of Abraham
ArOr	<i>Archiv Orientalni</i>

AP	Cowley, Arthur C. <i>Aramaic Papyri of the Fifth Century B.C.</i> Oxford: Clarendon, 1923.
ATANT	Abhandlungen zur Theologies des Alten und Neuen Testaments
ATD	Das Alte Testament Deutsch
ATM	Altes Testament und Moderne
ATSAT	Arbeiten zu Text und Sprache im Alten Testament
AzTh	Arbeiten zur Theologie
b.	Babylonian Talmud
B. Qam.	Baba Qamma
BA	<i>Biblical Archaeologist</i>
BaF	Baghdader Forschungen
BaM	<i>Baghdader Mitteilungen</i>
BBB	Bonner biblische Beiträge
BEATAJ	Beiträge zur Erforschung des Alten Testaments und des antiken Judentums
BETL	Bibliotheca Ephemeridum Theologicarum Lovaniensium
BEvT	Beiträge zur evangelischen Theologie
BHH	Reicke, Bo, and Leonhard Rost, eds. <i>Biblische-historische Handwörterbuch: Landeskunde, Geschichte, Religion, Kultur.</i> 4 vols. Göttingen: Vandenhoeck & Ruprecht, 1962–1966.
BHS	Biblia Hebraica Stuttgartensia
BHT	Beiträge zur historischen Theologie
Bib	<i>Biblica</i>
BibB	Biblische Beiträge
BibEnc	Biblical Encyclopedia
<i>Bib. hist.</i>	Diodorus Siculus, <i>Bibliotheca historica</i>
<i>BibInt</i>	<i>Biblical Interpretation</i>
<i>BibLeb</i>	<i>Bibel und Leben</i>
BibSem	The Biblical Seminar
BibS(N)	Biblisches Studien (Neukirchen)
BJS	Brown Judaic Studies
BK	<i>Bibel und Kirche</i>
BKAT	Biblischer Kommentar, Altes Testament
BL	<i>Bibel und Liturgie</i>
BN	<i>Biblische Notizen</i>
BThSt	Biblich-Theologische Studien
BTZ	<i>Berliner Theologische Zeitschrift</i>
BWANT	Beiträge zur Wissenschaft vom Alten und Neuen Testament

BWAT	Beiträge zur Wissenschaft vom Alten Testament
BZ	<i>Biblische Zeitschrift</i> NS
BZABR	Beihefte zur Zeitschrift für altorientalische und biblische Rechtsgeschichte
BZAW	Beihefte zur Zeitschrift für die alttestamentliche Wissenschaft
BZNW	Beihefte zur Zeitschrift für die neutestamentliche Wissenschaft
CahRB	Cahiers de la revue biblique
CANE	Sasson, Jack M., ed. <i>Civilizations of the Ancient Near East</i> . 4 vols. New York, 1995. Repr. in 2 vols. Peabody, MA: Hendrickson, 2006.
C. Ap.	Josephus, <i>Contra Apionem</i>
CBET	Contributions to Biblical Exegesis and Theology
CBH	Classical Biblical Hebrew
CBQ	<i>Catholic Biblical Quarterly</i>
CBQMS	Catholic Biblical Quarterly Monograph Series
CC	Covenant Code (Exod 20–23)
CH	Codex Hammurabi
CHANE	Culture and History of the Ancient Near East
CHJ	The Cambridge History of Judaism
ConBNT	Coniectanea Biblica: New Testament Series
ConBOT	Coniectanea Biblica: Old Testament Series
COS	Hallo, William W., and K. Lawson Younger Jr., eds. <i>The Context of Scripture</i> . 4 vols. Leiden: Brill, 1997–2016.
CRAI	Comptes rendus de l'Académie des inscriptions et belles-lettres
CrStHB	Critical Studies in the Hebrew Bible
CTH	Laroche, Emmanuel. <i>Catalogue des textes hittites</i> . Études et commentaires 75. Paris: Klincksieck, 1971.
CurBR	<i>Currents in Biblical Research</i>
DB	Darius I, Bisitun Inscription
DBAT	<i>Dielheimer Blätter zum Alten Testament und seiner Rezeption in der Alten Kirche</i>
DBAT.B	Dielheimer Blätter zum Alten Testament und seiner Rezeption in der Alten Kirche Beihefte
DDD	Toorn, Karel van der, Bob Becking, and Pieter W. van der Horst, eds. <i>Dictionary of Deities and Demons in the Bible</i> . 2nd ed. Grand Rapids: Eerdmans, 1999.
DEa	Darius I, Gandj Nameh/Elvend

DISO	Jean, Charles-François and Jacob Hoftijzer, eds. <i>Dictionnaire des inscriptions sémitiques de l'ouest</i> . Leiden Brill, 1965.
DJD	Discoveries in the Judean Desert
DMOA	Documenta et monumenta Orientis antiqui
DNa	Darius I, Naqš-e Rostam inscription
DNP	Cancik, Hubert, and Helmuth Schneider, eds. <i>Der neue Pauly: Enzyklopädie der Antike</i> . Stuttgart: Metzler, 1996–.
DSac	Darius I, Susa, inscriptions a and c
DSD	<i>Dead Sea Discoveries</i>
DZc	Darius I, Suez, description of the Red Sea canal
EBib	Études bibliques
ECC	Eerdmans Critical Commentary
EdF	Erträge der Forschung
EHLL	Khan, Geoffrey, ed. <i>Encyclopedia of Hebrew Language and Linguistics</i> . 4 vols. Leiden: Brill, 2014.
EHS.T	Europäische Hochschulschriften Reihe 23, Theologie
EncJud	Skolnik, Fred, and Michael Berenbaum, eds. <i>Encyclopedia Judaica</i> . 2nd ed. 22 vols. Detroit: Macmillan Reference USA, 2007.
ErIsr	<i>Eretz Israel</i>
EstBib	<i>Estudios bíblicos</i>
ET	English translation
ETR	<i>Études théologiques et religieuses</i>
EvT	<i>Evangelische Theologie</i>
FAT	Forschungen zum Alten Testament
FB	Forschung zur Bibel
FoiVie	<i>Foi et vie</i>
frag(s).	fragment(s)
FRLANT	Forschungen zur Religion und Literatur des Alten und Neuen Testaments
GAT	Grundrisse zum Alten Testament
Gen. Rab.	Genesis Rabbah
GKC	Gesenius, Wilhelm. <i>Gesenius' Hebrew Grammar</i> . Edited by Emil Kautzsch. Translated by Arthur E. Cowley. 2nd ed. Oxford: Clarendon, 1910.
HACL	History, Archaeology, and Culture of the Levant
HAL	Koehler, Ludwig, Walter Baumgartner, and Johann J. Stamm. <i>Hebräisches und aramäisches Lexicon zum Alten Testament</i> . 3rd ed. Leiden: Brill, 1995, 2004.

<i>HALOT</i>	Koehler, Ludwig, Walter Baumgartner, and Johann J. Stamm. <i>The Hebrew and Aramaic Lexicon of the Old Testament</i> . Translated and edited under the supervision of Mervyn E. J. Richardson. 2 vols. Leiden: Brill, 2001.
HAW	Handbuch der Altertumswissenschaft
HBS	Herders Biblische Studien
<i>HBT</i>	<i>Horizons in Biblical Theology</i>
HCOT	Historical Commentary on the Old Testament
<i>HBAI</i>	<i>Hebrew Bible and Ancient Israel</i>
<i>Hen</i>	<i>Henoch</i>
<i>Hist.</i>	Herodotus, <i>Histories</i> ; Thucydides, <i>Histories</i>
HKAT	Handkommentar zum Alten Testament
HSM	Harvard Semitic Monographs
HSS	Harvard Semitic Studies
HThKAT	Herders theologischer Kommentar zum Alten Testament
HTS	Harvard Theological Studies
<i>HTR</i>	<i>Harvard Theological Review</i>
<i>HUCA</i>	<i>Hebrew Union College Annual</i>
IECOT	International Exegetical Commentary on the Old Testament
<i>IEJ</i>	<i>Israel Exploration Journal</i>
impf.	imperfect
inf.	infinitive
<i>Int</i>	<i>Interpretation</i>
<i>JAJ</i>	<i>Journal of Ancient Judaism</i>
JAJSup	Journal of Ancient Judaism Supplements
<i>JANER</i>	<i>Journal of Near Eastern Religions</i>
<i>JBL</i>	<i>Journal of Biblical Literature</i>
<i>JBTh</i>	<i>Jahrbuch für biblische Theologie</i>
<i>JCS</i>	<i>Journal of Cuneiform Studies</i>
<i>JJS</i>	<i>Journal of Jewish Studies</i>
<i>JNSL</i>	<i>Journal of Northwest Semitic Languages</i>
Joüon	Joüon, Paul. <i>A Grammar of Biblical Hebrew</i> . Translated and revised by T. Muraoka. 2 vols. Rome: Pontifical Biblical Institute, 1991.
JSHRZ	Jüdische Schriften aus hellenistisch-römischer Zeit
<i>JSJ</i>	<i>Journal for the Study of Judaism</i>
JSJSup	Supplements to the Journal for the Study of Judaism
JSNTSup	Journal for the Study of the New Testament Supplements
<i>JSOT</i>	<i>Journal for the Study of the Old Testament</i>

JSOTSup	Journal for the Study of the Old Testament Supplements
JSP	<i>Journal for the Study of the Pseudepigrapha</i>
JSPSup	Journal for the Study of the Pseudepigrapha Supplements
JSRC	Jerusalem Studies in Religion and Culture
JSS	<i>Journal of Semitic Studies</i>
JTS	<i>Journal of Theological Studies</i>
Jud	<i>Judaica</i> (Buenos Aires)
JudUm	<i>Judentum und Umwelt</i>
KAI	Donner, Herbert, and Wolfgang Röllig. <i>Kanaanäische und Aramäische Inschriften</i> . 2nd ed. 3 vols. Wiesbaden: Harrassowitz, 1966–1969.
KD	<i>Kerygma und Dogma</i>
KHC	Kurzer Hand-Commentar zum Alten Testament
KStTh	Kohlhammer Studienbücher Theologie
KTU	Dietrich, Manfred, Oswald Loretz, and Joaquín Sanmartín, eds. <i>Die keilalphabetischen Texte aus Ugarit</i> . Münster: Ugarit-Verlag, 1995.
KUB	Keilschrifturkunden aus Boghaköi
KUSATU	Kleine Untersuchungen zur Sprache des Alten Testaments und seiner Umwelt
LÄ	Helck, Wolfgang, Eberhard Otto, Wolfhart Westendorf, eds. <i>Lexikon der Ägyptologie</i> . Weisbaden: Harrassowitz, 1972.
LAE	Life of Adam and Eve
LBH	Late Biblical Hebrew
LCL	Loeb Classical Library
LD	Lectio Divina
LE	Laws of Eshnunna
Leg.	Philo, <i>Legum allegoriae</i>
LH	Laws of Hammurabi
LHBOTS	Library of Hebrew Bible/Old Testament Studies
LSAWS	Linguistic Studies in Ancient West Semitic
LU	Laws of Ur-Nammu
LXX	Septuagint
MC	Mesopotamian Civilizations
MdB	Monde de la Bible
Meg.	Megillah
MT	Masoretic Text
MTZ	<i>Münchener theologische Zeitschrift</i>
Mus	<i>Le Museon</i>

MVAG	Mitteilungen der Vorderasiatisch-ägyptischen Gesellschaft
NAWG	<i>Nachrichten (von) der Akademie der Wissenschaften in Göttingen</i>
NBL	Görg, Manfred et al., eds. <i>Neues Bibel-Lexikon</i> . Zurich: Benziger, 1991–2001.
NCB	New Century Bible Commentary
NEchtB	Neue Echter Bibel
NS	new series
NSK.AT	Neuer Stuttgarter Kommentar Altes Testament
NTG	Neue theologische Grundrisse
NTOA	Novum Testamentum et Orbis Antiquus
OBO	Orbis Biblicus et Orientalis
ÖBS	Österreichische Biblische Studien
OBT	Overtures to Biblical Theology
OEANE	Meyers, Eric M., ed. <i>The Oxford Encyclopedia of Archaeology in the Near East</i> . 5 vols. New York: Oxford University Press, 1997.
OLA	Orientalia Lovaniensia Analecta
OLZ	<i>Orientalistische Literaturzeitung</i>
<i>Opif.</i>	Philo, <i>De opificio mundi</i>
ORA	Orientalische Religionen in der Antike
OTL	Old Testament Library
OTS	Oudtestamentische Studiën
per.	person
pf.	perfect
PFES	Publications of the Finnish Exegetical Society
pl.	plate
QD	Quaestiones Disputatae
RB	<i>Revue biblique</i>
RBL	<i>Review of Biblical Literature</i>
RBS	Resources for Biblical Studies
RGG	Betz, Hans Dieter, ed. <i>Religion in Geschichte und Gegenwart</i> . 4th ed. Tübingen: Mohr Siebeck, 1998–2007.
RGG ²	Bertholet, Alfred, ed. <i>Religion in Geschichte und Gegenwart</i> . 2nd ed. Tübingen: Mohr Siebeck, 1927–1932.
RGG ³	Galling, Kurt, ed. <i>Religion in Geschichte und Gegenwart</i> . 3rd ed. Tübingen: Mohr Siebeck, 1957–1962.
RHPR	<i>Revue d'histoire et de philosophie religieuses</i>
RIDA	<i>Revue internationale des droits de l'antiquité</i>
RivB	<i>Rivista biblica italiana</i>

RLA	Ebeling, Erich, et al., eds. <i>Reallexikon der Assyriologie</i> . 15 vols. Berlin: de Gruyter, 1928–2018.
RPP	Betz, Hans Dieter, et al., eds. <i>Religion Past and Present</i> . 14 vols. Leiden: Brill, 2007–2014.
RPT	Religion in Philosophy and Theology
RQ	<i>Römische Quartalschrift für christliche Altertumskunde und Kirchengeschichte</i>
RTP	<i>Revue de théologie et de philosophie</i>
s.	singular
SAA	State Archives of Assyria
SANT	Studien zum Alten und Neuen Testaments
SAT	Schriften des Alten Testaments in Auswahl
SBAB	Stuttgarter biblische Aufsatzbände
SBB	Stuttgarter biblische Beiträge
SBLDS	Society of Biblical Literature Dissertation Series
SBLMS	Society of Biblical Literature Monograph Series
SBLStBL	Society of Biblical Literature Studies in Biblical Literature
SBS	Stuttgarter Bibelstudien
SBT	Studies in Biblical Theology
SBTS	Sources for Biblical and Theological Study
ScEs	<i>Science et esprit</i>
SCS	Septuagint and Cognate Studies
SEÅ	<i>Svensk exegetisk årsbok</i>
Sem	<i>Semitica</i>
SemeiaSt	Semeia Studies
SESJ	Suomen Eksegeettisen Seuran julkaisuja
SFSHJ	South Florida Studies in the History of Judaism
sg.	singular
SHANE	Studies in the History (and Culture) of the Ancient Near East
SHAW	Sitzungsberichte der Heidelberger Akademie der Wissenschaften: Philosophisch-Historische Klasse 2
SHR	Studies in the History of Religions (supplements to <i>Numen</i>)
SJLA	Studies in Judaism in Late Antiquity
SJOT	<i>Scandinavian Journal of the Old Testament</i>
Sof.	Soferim
SP	Samaritan Pentateuch
STDJ	Studies on the Texts of the Desert of Judah
Str-B	Strack, Hermann L., and Paul Billerbeck. <i>Kommentar zum</i>

	<i>Neuen Testament aus Talmud und Midrasch</i> . 6 vols. Munich: Beck, 1922–1961.
StSam	Studia Samaritana
StudBib	Studia Biblica
sup.	supplement
SVTG	Septuaginta: Vetus Testamentum Graecum
SymS	Symposium Series
T. Levi	Testament of Levi
TA	<i>Tel Aviv</i>
TANZ	Texte und Arbeiten zum neutestamentlichen Zeitalter
TB	Theologische Bücherei
TBN	Themes in Biblical Narrative
TDOT	Botterweck, G. Johannes, Helmer Ringgren, and Heinz-Josef Fabry, eds. <i>Theological Dictionary of the Old Testament</i> . Translated by John T. Willis et al. 15 vols. Grand Rapids: Eerdmans, 1974–2006.
TdT	Themen der Theologie
THeth	Texte der Hethiter
ThSt	Theologische Studien
ThW	Theologische Wissenschaft
ThWAT	Botterweck, G. Johannes, Helmer Ringgren, Heinz-Josef Fabry, and Holger Gzella, eds. <i>Theologisches Wörterbuch zum Alten Testament</i> . 9 vols. Stuttgart: Kohlhammer, 1970–2015.
Timocr.	Demosthenes, <i>In Timocratem</i>
TJT	<i>Toronto Journal of Theology</i>
TLZ	<i>Theologische Literaturzeitung</i>
TP	<i>Theologie und Philosophie</i>
Transeu	<i>Transeupratène</i>
TRE	Krause, Gerhard, and Gerhard Müller, eds. <i>Theologische Realenzyklopädie</i> . 36 vols. Berlin: de Gruyter, 1977–2006.
TRu	<i>Theologische Rundschau</i>
TSAJ	Texts and Studies in Ancient Judaism
TSK	<i>Theologische Studien und Kritiken</i>
TTZ	<i>Trierer theologische Zeitschrift</i>
TUAT	Kaiser, Otto, et al, eds. <i>Texte aus der Umwelt des Alten Testaments</i> . Gütersloh: Mohn; Gütersloher Verlagshaus, 1984–.
TWNT	Kittel, Gerhard, and Gerhard Friedrich, eds. <i>Theologische Wörterbuch zum Neuen Testament</i> . Stuttgart: Kohlhammer, 1932–1979.

<i>TynBul</i>	<i>Tyndale Bulletin</i>
<i>TZ</i>	<i>Theologische Zeitschrift</i>
UCOP	University of Cambridge Oriental Publications
<i>UF</i>	<i>Ugarit-Forschungen</i>
UTB	Uni-Taschenbücher
v	verso
VAB	Vorderasiatische Bibliothek
<i>VF</i>	<i>Verkündigung und Forschung</i>
<i>VT</i>	<i>Vetus Testamentum</i>
VTSup	Supplements to Vetus Testamentum
Vulg	Vulgate
VWGTTh	Veröffentlichungen der Wissenschaftlichen Gesellschaft für Theologie
WAW	Writings of the Ancient World
WBC	Word Biblical Commentary
<i>WD</i>	<i>Wort und Dienst</i>
WMANT	Wissenschaftliche Monographien zum Alten und Neuen Testament
<i>WO</i>	<i>Welt des Orients</i>
<i>WUB</i>	<i>Welt und Umwelt der Bibel</i>
WUNT	Wissenschaftliche Untersuchungen zum Neuen Testament
XEa	Xerxes I, Gandj Nameh/Elvend, inscription near a waterfall
XPa	Xerxes I, Persepolis, gate of all nations
XPb	Xerxes I, Persepolis, stairs of the Apadana
XPc	Xerxes I, Persepolis, palace of Darius
XPd	Xerxes I, Persepolis, stairs of the palace of Xerxes
XPh	Xerxes I, Persepolis, “ <i>Daiva</i> inscription”
XVa	Xerxes I, Van inscription
y.	Jerusalem (talmud, Mishnah)
ZABR	<i>Zeitschrift für Altorientalische und Biblische Rechtsgeschichte</i>
ZAW	<i>Zeitschrift für die alttestamentliche Wissenschaft</i>
ZBK	Zürcher Bibelkommentare
ZDMG	<i>Zeitschrift der deutschen morgenländischen Gesellschaft</i>
ZDPV	<i>Zeitschrift des deutschen Palästina-Vereins</i>
ZEE	<i>Zeitschrift für evangelische Ethik</i>
ZKT	<i>Zeitschrift für katholische Theologie</i>
ZSS	<i>Zeitschrift der Savigny-Stiftung für Rechtsgeschichte</i>
ZTK	<i>Zeitschrift für Theologie und Kirche</i>

Part 1
The Pentateuch in the Enneateuch

Was There Ever a Primary History?

1.1.

It is obvious that the first nine books of the Hebrew Bible (Genesis, Exodus, Leviticus, Numbers, Deuteronomy, Joshua, Judges, Samuel, Kings) do not represent disparate entities but interconnect closely with one another. Genesis–Kings offers a continuous, chronologically ordered, and largely coherent narrative from creation to the exile that flows over the present boundaries of the books and with very few interruptions by new introductions. Only Genesis and Deuteronomy have literary beginnings in Gen 1:1 and Deut 1:1–5, which one might interpret as actual book superscriptions in terms of their content. In addition, only with יהי in Judg 1:1 and 1 Sam 1:1 do syntactically conceivable narrative beginnings appear that are not formulated with syndeton or narratives with verbs other than היה.¹ To that extent, Genesis–Kings relate more closely to one another than, for example, the prophetic or the wisdom books, resulting in almost no deviation in their canonical order in the Hebrew Bible.²

This is an updated and reworked version of Konrad Schmid, “Buchtechnische und sachliche Prolegomena zur Enneateuchfrage,” in *Auf dem Weg zur Endgestalt von Gen–II Regum: Festschrift Hans-Christoph Schmitt zum 65 Geburtstag*, ed. Martin Beck and Ulrike Schorn, BZAW 370 (Berlin: de Gruyter, 2006), 1–14. I thank Peter Altmann for the translation and David Carr for his critical reading and some very helpful hints and criticisms.

1. Walter Gross, “Syntaktische Erscheinungen am Anfang althebräischer Erzählungen: Hintergrund und Vordergrund,” in *Congress Volume 1980*, ed. John A. Emerton, VTSup 32 (Leiden: Brill, 1981), 133, 135 n. 13; but see Wolfgang Schneider, “Und es begab sich ... Anfänge von Erzählungen im Biblischen Hebräisch,” *BN* 70 (1993): 70, 85.

2. See Roger Beckwith, *The Old Testament Canon of the New Testament Church* (London: SPCK, 1985), 181–234, 450–51; Peter Brandt, *Endgestalten des Kanons: Die*

Should one therefore assume that there was an overarching history extending from Genesis–Kings?³ Scholarship reckons with such a work in numerous ways that can be described in various manners.⁴ Scholars often extrapolate from the term *Pentateuch* to speak of an *Enneateuch*.⁵ Others prefer the term *Primary History*.⁶

Arrangements der Schriften Israels in der jüdischen und christlichen Bibel, BBB 131 (Berlin: Philo, 2001), 136, 138, 142.

3. Hans-Christoph Schmitt, “Die Suche nach der Identität des Jahweglaubens im nachexilischen Israel,” in *Theologie in Prophetie und Pentateuch: Gesammelte Schriften*, BZAW 310 (Berlin: de Gruyter, 2001), 255–76; Schmitt, *Arbeitsbuch zum Alten Testament: Grundzüge der Geschichte Israels und der alttestamentlichen Schriften*, UTB 2146 (Göttingen: Vandenhoeck & Ruprecht, 2005), 242–48; see also Schmitt, “Das spätdeuteronomistische Geschichtswerk Gen I–2Regum XXV und seine theologische Intention,” in *Theologie in Prophetie und Pentateuch*, 277–94; Schmitt, “Die Erzählung vom Goldenen Kalb Ex. 32* und das Deuteronomistische Geschichtswerk,” in *Theologie in Prophetie und Pentateuch*, 311–25; Schmitt, “Die Josephsgeschichte und das Deuteronomistische Geschichtswerk: Genesis 38 und 48–50,” in *Theologie in Prophetie und Pentateuch*, 295–308; Schmitt, “Das sogenannte jahwistische Privilegrecht in Ex 34,10–28 als Komposition der spätdeuteronomistischen Endredaktion des Pentateuch,” in *Abschied vom Jahwisten: Die Komposition des Hexateuch in der jüngsten Diskussion*, ed. Jan C. Gertz, Konrad Schmid, and Markus Witte, BZAW 315 (Berlin: de Gruyter, 2002), 157–71; Schmitt, “Dtn 34 als Verbindungsstück zwischen Tetrateuch und Deuteronomistischen Geschichtswerk,” in *Das Deuteronomium zwischen Pentateuch und Deuteronomistischem Geschichtswerk*, ed. Eckart Otto and Reinhard Achenbach, FRLANT 206 (Göttingen: Vandenhoeck & Ruprecht, 2004), 180–92.

4. Otto Kaiser, *Der Gott des Alten Testaments: Grundlegung*, vol. 1 of *Theologie des Alten Testaments*, 3 vols., UTB 1747 (Göttingen: Vandenhoeck & Ruprecht, 1993), 159–62: “Heils-Unheilsgeschichtliche[s] Grossgeschichtswerk”; Martin Rose, “La croissance du corpus historiographique de la bible: Une proposition,” *RTP* 118 (1986): 217: “corpus historiographique de la bible”; Schmitt, “Das spätdeuteronomistische Geschichtswerk”; Schmitt, “Die Erzählung vom Goldenen Kalb,” 323; Schmitt, “Privilegrecht,” 170; Schmitt, “Dtn 34,” 182: “spätdeuteronomistisches Geschichtswerk.”

5. See, e.g., Schmitt, “Die Suche,” 275; Schmitt, *Arbeitsbuch*, 242; Reinhard G. Kratz, *Die Komposition der erzählenden Bücher des Alten Testaments: Grundwissen der Bibelkritik*, UTB 2157 (Göttingen: Vandenhoeck & Ruprecht, 2000), 219–25; Erik Aurelius, *Zukunft jenseits des Gerichts: Eine redaktionsgeschichtliche Studie zum Enneateuch*, BZAW 319 (Berlin: de Gruyter, 2003); Reinhard Achenbach, “Pentateuch, Hexateuch und Enneateuch: Eine Verhältnisbestimmung,” *ZABR* 11 (2005): 122–54; Jan C. Gertz, ed., *Grundinformation Altes Testament: Eine Einführung in Literatur, Religion und Geschichte des Alten Testaments*, UTB 2745 (Göttingen: Vandenhoeck & Ruprecht, 2006), 190; Eckart Otto, “Das Deuteronomistische Geschichtswerk im Enneateuch: Zu einem Buch von Erik Aurelius,” *ZABR* 11 (2005): 323–45; Georg

Braulik, "Die Weisung und das Gebot im Enneateuch," in *Studien zu den Methoden der Deuteronomiumsexegese*, ed. Georg Braulik, SBAB 42 (Stuttgart: Katholisches Bibelwerk, 2006), 111–35; Thomas Römer and Konrad Schmid, eds., *Les dernières rédactions du Pentateuque, de l'Hexateuque et de l'Ennéateuque*, BETL 203 (Leuven: Leuven University Press, 2007); Erhard Blum, "Pentateuch—Hexateuch—Enneateuch? Or: How Can One Recognize a Literary Work in the Hebrew Bible?," in *Pentateuch, Hexateuch, or Enneateuch? Identifying Literary Works in Genesis through Kings*, ed. Thomas B. Dozeman, Thomas Römer, and Konrad Schmid, AIL 8 (Atlanta: Society of Biblical Literature, 2011), 43–71.; Joseph Titus, *The Second Story of Creation (Gen 2:4–3:24): A Prologue to the Concept of Enneateuch?*, EHS.T 912 (Frankfurt am Main: Lang, 2011); Walter Gross, "Das Richterbuch zwischen Deuteronomistischem Geschichtswerk und Enneateuch," in *Das deuteronomistische Geschichtswerk*, ed. Hermann-Josef Stipp, ÖBS 39 (Frankfurt am Main: Lang, 2011), 177–205; Jonathan Miles Robker, "The Balaam Narrative in the Pentateuch/Hexateuch/Enneateuch," in *Torah and the Book of Numbers*, ed. Christian Frevel, Thomas Pola, and Aaron Scharf, FAT 2/62 (Tübingen: Mohr Siebeck, 2013), 334–66; Christoph Levin, "On the Cohesion and Separation of Books within the Enneateuch," in *Re-reading the Scriptures: Essays on the Literary History of the Old Testament*, ed. Christoph Levin, FAT 87 (Tübingen: Mohr Siebeck, 2013), 115–41.

6. David N. Freedman, "The Law and the Prophets," in *Congress Volume: Bonn, 1962*, ed. G. W. Anderson et al., VTSup 9 (Leiden: Brill, 1963), 251, 254, 257; David N. Freedman and Jeffrey C. Geoghegan, "Martin Noth: Retrospect and Prospect," in *The History of Israel's Traditions: The Heritage of Martin Noth*, ed. Steven L. McKenzie and M. Patrick Graham, JSOTSup 182 (Sheffield: Sheffield Academic, 1994), 129; Sara Mandell and David N. Freedman, *The Relationship between Herodotus' History and Primary History*, SFSHJ 60 (Atlanta: Scholars Press, 1993), ix, cf. 85; Paul J. Kissling, *Reliable Characters in the Primary History: Profiles of Moses, Joshua, Elijah and Elisha*, JSOTSup 224 (Sheffield: Sheffield Academic, 1996); Ehud Ben Zvi, "Looking at the Primary (Hi)story and the Prophetic Books as Literary/Theological Units within the Frame of the Early Second Temple: Some Considerations," *SJOT* 12 (1998): 26: "Primary Historical Narrative"; Sara Mandell, "Primary History as a Social Construct of a Privileged Class," in *Concepts of Class in Ancient Israel*, ed. Mark R. Sneed, SFSHJ 201 (Atlanta: Scholars Press, 1999), 21–35; Anthony M. Abela, "Is Genesis the Introduction of the Primary History?," in *Studies in the Book of Genesis: Literature, Redaction and History*, ed. André Wénin, BETL 155 (Leuven: Peeters, 2001), 397–406; A. Graeme Auld, "Counting Sheep, Sins and Sour Grapes: The Primacy of the Primary History?," in *Sense and Sensitivity: Essays on Reading the Bible in Memory of Robert Carroll*, ed. Alasdair G. Hunter and Philip R. Davies, JSOTSup 348 (Sheffield: Sheffield Academic, 2002), 63–72; David N. Freedman and Brian E. Kelly, "Who Redacted the Primary History?," in *Sefer Moshe: The Moshe Weinfeld Jubilee Volume; Studies in the Bible and the Ancient Near East, Qumran, and Post-biblical Judaism*, ed. Chaim Cohen, Avi Hurvitz, and Shalom M. Paul (Winona Lake, IN: Eisenbrauns, 2004), 39–47; Jan Wim Wesselius, "The Functions of Lists in Primary History," in "*Basel und Bibel*": *Collected Communications to the XVIIth Congress of the International Organization for the Study of the Old Testament 2001*, ed. Matthias Augustin and Hermann Michael Niemann, BEATAJ 51 (Frankfurt am Main: Lang, 2004), 83–89.

However, various critiques have also been made of such a proposal.⁷ The most important problems concern three perspectives. First, the objection arises that no clear redactional linkages can be established that stretch throughout the entirety of Genesis–2 Kings. Second, doubt is expressed on the technical feasibility of an Enneateuch. Third, there is the question of the closed nature of a complex of Genesis–2 Kings. The following considerations address these aspects one at a time (§1.2–4) and then attempt to formulate an evaluation (§1.5).

1.2.

Regarding the problem of the redactional unity of Genesis–2 Kings, it must first be acknowledged that comparable continuous chains such as the prominent Penta- or Hexateuchal frameworks of statements of the promise of land to the three ancestors (Gen 50:24; Exod 32:13; 33:1; Num 32:11; Deut 34:4) or the transfer of Joseph's bones (Gen 50:25; Exod 13:19; Josh 24:32) cannot be found.⁸ Does this render the proposal of an Enneateuch impossible? No, first, the narrative and chronological coherence of Genesis–2 Kings must be mentioned. The story from creation to the Babylonian exile is joined together so tightly in narrative terms that it can fundamentally be presupposed that the sequence arises from a deliberate construction. It would be less plausible to hold that the partial traditions collected in Genesis–2 Kings fit together so well and yield a continuous reading merely by chance. In addition, the order of universal time in Genesis–2 Kings based primarily on the lineages in Gen 5 and 11, the information on the lifespans of the patriarchs, the information of the chronological bridges in Exod 12:40–41 and 1 Kgs 6:1, as well as the annalistic information from the books of Kings, all indicate

7. Cf. Horst Seebass, "Pentateuch," *TRE* 26:186; Norbert Lohfink, "Moses Tod, die Tora und die alttestamentliche Sonntagslesung," *TP* 71 (1996): 484.

8. Eckart Otto, *Das Deuteronomium im Pentateuch und Hexateuch*, FAT 30 (Tübingen: Mohr Siebeck, 2001), 219: "If one assumes a literary complex that extends beyond Josh 24 also to include the Former Prophets, then why such a chain [such as Gen 50:25–26—Exod 13:19—Josh 24:32] does not extend beyond Josh 24 must be explained" ("Wollte man mit einem literarischen Zusammenhang rechnen, der über Jos 24 hinaus auch die Vorderen Propheten einschliesst, müsste erklärt werden, warum derartige Ketten [sc. wie Gen 50,25f—Ex 13,19—Jos 24,32] nicht über Jos 24 hinausführen"). Unless otherwise noted, all translations are mine.

that the Enneateuch was taken into consideration and edited redactionally at least at this level. The exodus takes places in the year 2,666 according to the Masoretic chronology counted from creation. That is two-thirds of the four thousand years that apparently fulfill the time until the Maccabean rededication of the temple.⁹ This overarching structure should be located quite late—not before the historical goal toward which it moves (i.e., in the Maccabean period). However, it is hardly the first to establish the coherence of Genesis–2 Kings. Rather, the Enneateuch already existed as something that could be edited. Certain *inclusios* point in this direction that encompass the entirety of Genesis–2 Kings: Joseph/Jehoiachin, as well as the expulsion from the garden of Eden/the destruction of Jerusalem.¹⁰ Further overarching themes (see the cited works of Hans-Christoph Schmitt) and correspondence of events in Genesis–2 Kings,¹¹ especially Josh 24, which in its present form clearly forms a hinge between the salvation history in Genesis–Joshua leading to the conquest of the land and the subsequent history of destruction in Judges–2 Kings ending with the loss of the land.¹² However, the determination of the meaning and the date of composition for Josh 24 is controversial. It is indisputable that Josh 24, with its explicit mention of Abraham (24:2–3) and the subsequent reca-

9. Konrad Schmid, *Erzväter und Exodus: Untersuchungen zur doppelten Begründung der Ursprünge Israels innerhalb des Alten Testaments*, WMANT 81 (Neukirchen-Vluyn: Neukirchener Verlag 1999), 19–22.

10. Konrad Schmid, “Das Deuteronomium innerhalb der ‘deuteronomistischen Geschichtswerke’ in Gen–2Kön,” in Otto and Achenbach, *Deuteronomium*, 209–10; Michael J. Chan, “Joseph and Jehoiachin: On the Edge of Exodus,” ZAW 125 (2013): 566–77; Bernard Gosse, “L’inclusion de l’ensemble Genèse–II Rois, entre la perte du jardin d’Eden et celle de Jérusalem,” ZAW 114 (2002): 189–211.

11. See Schmid, *Erzväter*, 24–26. Within Genesis–2 Kings, one can identify, e.g., a striking structural similarity between Primeval History, history of the people, and history of the state:

	Primeval History	History of the people	History of the state
	Gen 1–11	Gen 12–Josh	Judg/Sam–Kgs
“Fall”	Gen 2–3	Exod 32–34	1 Kgs 12
Punishment/ preservation of a remnant	Gen 6–9	Num 13–14	2 Kgs 17

12. Schmid, *Erzväter*, 22–24; Reinhard G. Kratz, “Der vor- und der nachprierschriftliche Hexateuch,” in Gertz, Schmid, and Witte, *Abschied vom Jahwisten*, 299–307.

pitulation of the history of salvation (24:4–13) reaches back to Genesis and therefore has a hexateuchal horizon. Debatable but justifiable is the idea that Josh 24 has in view the other literary direction within an Enneateuch that stretches to 2 Kings (See Judg 6:7–10; 10:10–16; 1 Sam 7:3–4; 10:7–17; 12).¹³ In particular, 24:19–20 (“You *cannot* serve YHWH!”) cannot otherwise be interpreted in a meaningful manner: they prepare for the history of calamity that starts in the following book.¹⁴ One can discuss whether 24:19–20 are compositionally secondary to a presupposed base text of Josh 24.¹⁵ However, the present text of Josh 24, which is post-Priestly given its dependence on the redaction-historical expansions of the book of Judges, may still come at the latest from the Persian period.¹⁶ On this level, Josh 24 adopts the function of a joint between Genesis–Joshua and Judges–2 Kings that structures the overall complex as a progression from salvation history to the history of calamity.

1.3.

While Genesis–2 Kings do present an organized structure from a literary perspective, the question still arises concerning just how one should conceive of the entire complex in material terms. However, the facts here are comparatively clear: contrary to popular opinion,¹⁷ scrolls comprising multiple biblical books pose *no unavoidable material problems* if they are written on leather rather than on brittle papyrus.¹⁸ Scrolls can be very

13. Cf. Kratz, “Hexateuch,” 302; Achenbach, “Pentateuch, Hexateuch und Enneateuch,” 139–53. Achenbach concedes these references but attempts to view them merely as elements of a “revision” (“Bearbeitung”) instead of a “redaction that is formative for the overarching work of the Enneateuch” (141: “für ein Gesamtwerk Enneateuch ... formativ[en] ... Redaktion”). However, one may ask whether this alters the fundamental categories of the function of the relevant statements in Josh 24.

14. Schmid, “Das Deuteronomium,” 193–194 n. 1.

15. Cf., e.g., though with its own debatable justification, Christoph Levin, *Die Verheissung des neuen Bundes in ihrem theologiegeschichtlichen Zusammenhang ausgelegt*, FRLANT 137 (Göttingen: Vandenhoeck & Ruprecht, 1985), 114–15; and following him Kratz, *Die Komposition*, 207.

16. Schmid, *Erzväter*, 218–20; Philippe Guillaume, *Waiting for Josiah: The Judges*, JSOTSup 385 (London: T&T Clark, 2004).

17. Within New Testament scholarship, the opinion has so far been expressed that an order of the gospels could first be established with the rise of the codex.

18. The question of a scroll containing multiple books is also important for the

extensive: the Egyptian Papyrus Harris (eleventh century BCE), 43 meters in length, contains the Book of the Dead,¹⁹ which led some scholars to believe that the whole *Iliad* and *Odyssey* could fit on one scroll.²⁰ The aver-

discussion of links between books, as has been considered especially for the prophetic books (the Book of the Twelve). The various entities referred to as “books” in the Hebrew Bible (cf., e.g., Num 21:14; Josh 10:13; 2 Sam 1:18) sometimes already from the beginning represent small collections rather than individual documents. A further comparison is the scroll comprising 1QS, 1Q28a (1QSa), and 1Q28b (1QSB). For the more common opinion on these issues, see Josef M. Oesch, *Petucha und Setuma: Untersuchungen zu einer überlieferten Gliederung im hebräischen Text des Alten Testaments*, OBO 27 (Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 1979), 118 n. 5; Menahem Haran, “Book-Size and the Thematic Cycles in the Pentateuch,” in *Die Hebräische Bibel und ihre zweifache Nachgeschichte: Festschrift für Rolf Rendtorff*, ed. Erhard Blum, Christian Macholz, and Ekkehard W. Stegemann (Neukirchen-Vluyn: Neukirchner Verlag, 1990), 169; Haran, “Book-Size and the Device of Catch-Lines in the Biblical Canon,” *JJS* 36 (1985): 1–11; Erhard Blum, *Studien zur Komposition des Pentateuch*, BZAW 189 (Berlin: de Gruyter, 1990), 111 n. 43; Theodor Zahn, *Urkunden und Belege zum ersten und dritten Band*, vol. 2 of *Geschichte des Neutestamentlichen Kanons*, 2 vols. (Erlangen: Deichert, 1890), 364; Hans von Campenhausen, *Die Entstehung der christlichen Bibel*, BHT 39 (Tübingen: Mohr, 1968), 203. But cf. the treatments of Konrad Schmid, *Buchgestalten des Jeremiabuches: Untersuchungen zur Redaktions- und Rezeptionsgeschichte von Jer 30–33 im Kontext des Buches*, WMANT 72 (Neukirchen-Vluyn: Neukirchner Verlag, 1996), 35–43; Joseph Blenkinsopp, *The Pentateuch: An Introduction to the First Five Books of the Bible*, ABRL (New York: Doubleday, 1992), 46; Emmanuel Tov, *Der Text der Hebräischen Bibel: Handbuch der Textkritik* (Stuttgart: Kohlhammer, 1997), 166; Tov, *Scribal Practices and Approaches Reflected in the Texts Found in the Judean Desert*, STDJ 54 (Leiden: Brill, 2004), 74–79; Odil H. Steck, *Der Abschluss der Prophetie im Alten Testament: Ein Versuch zur Frage der Vorgeschichte des Kanons*, BThSt 17 (Neukirchen-Vluyn: Neukirchner Verlag, 1991), 24 n. 29; Erich Bosshard, “Beobachtungen zum Zwölfprophetenbuch,” *BN* 40 (1987): 30–62; James Nogalski, *Literary Precursors to the Book of the Twelve*, BZAW 217 (Berlin: de Gruyter, 1993); Peter Welten, “Buch/Buchwesen II,” *TRE* 7:272–75; Johann Maier, *Die Qumran-Essener: Die Texte vom Toten Meer*, 3 vols., UTB 1862 (Stuttgart: UTB, 1995), 1:166.

19. Emmanuel Tov, *Textual Criticism of the Hebrew Bible* (Assen: Van Gorcum, 1992), 202; Tov, *Textual Criticism of the Hebrew Bible*, 3rd ed. (Minneapolis: Fortress, 2012), 194; and Tov, *Scribal Practices*, 165–66.

20. Theodor Birt, *Das antike Buchwesen in seinem Verhältniss zur Litteratur* (Berlin: Hertz, 1892), 439; Godfrey R. Driver, *Semitic Writing: From Pictograph to Alphabet* (London: Oxford University Press, 1948), 84 n. 5; see also Guy Darshan, “The Twenty-Four Books of the Hebrew Bible and Alexandrian Scribal Methods,” in *Homer and the Bible in the Eyes of Ancient Interpreters: Between Literary and Religious Concerns*, ed. M. R. Niehoff, JSRC 16 (Leiden: Brill, 2012), 221–44.

age length, however, was between 8 and 9 meters.²¹ Within the Hebrew Bible are the subdivision of the Pentateuch and, even more clearly, the books of Samuel and Kings, which were probably originally on a long scroll with a continuous text and *subsequently* divided into shorter scrolls.²² The longest extant scrolls from Qumran are 1QIsaa (7.34 m + “handle sheet” before column I) and 11Q19 (11QT^a; 8.148 m; originally 8.75 m).²³ Emanuel Tov reckons with an overall length of 22.5–27.5 m for 4QPent-Par^{a-d} (4Q364–367 = 4QRP^{b-e}).²⁴

Though it was generally the case in Qumran that biblical books were written on separate scrolls,²⁵ the fragments of 4Q1 (4QGen–Exod^a; earlier 4Gen^a and 4Exod^b),²⁶ 4Q11 (4QpaleoGen–Exodⁱ; earlier 4QpaleoExodⁱ or 4QpaleoExodⁿ),²⁷ 4Q17 (4QExod–Lev^f; earlier 4QExod^f),²⁸ and 4Q23 (4QLev–Num^a) were written on scrolls containing the entire Pentateuch.²⁹

21. Nahum M. Sarna, *Ancient Libraries and the Ordering of the Biblical Books: A Lecture Presented at the Library of Congress, March 6, 1989*, Center for the Book Viewpoint Series 25 (Washington, DC: Library of Congress, 1989), 8–9.

22. The LXX designation *Kingdoms* for Sam–Kings likely rests on ancient tradition. Furthermore, 1 Kgs 1:1 does not provide a clear separation that marks an original beginning to a book. See Lajos Blau, *Studien zum althebräischen Buchwesen und zur biblischen Literaturgeschichte* (Strassburg: Trübner, 1902), 51; Henry B. Swete, *An Introduction to the Old Testament in Greek*, ed. H. S. J. Thackeray, rev. Richard R. Ottley (Peabody, MA: Hendrickson, 1989), 215; Folker Siegert, *Zwischen Hebräischer Bibel und Altem Testament: Eine Einführung in die Septuaginta*, Münsteraner judaistische Studien 9 (Münster: LIT, 2001), 45.

23. Cf. Tov, *Der Text*, 166; Tov, *Scribal Practices*, 76–77.

24. Tov, *Der Text*, 166; Tov, *Scribal Practices*, 76. But see the reservations in Maier, *Die Qumran-Essener*, 2:308–9.

25. Tov, *Der Text*, 86–87, 166; Tov, *Scribal Practices*, 75. The Book of the Twelve Prophets was considered a single book already in Sir 49:10 (Uwe Glessmer, “Liste der biblischen Texte aus Qumran,” *RQ* 62 [1993]: 153–92).

26. Eugene C. Ulrich et al., *Qumran Cave 4. VII: Genesis to Numbers*, DJD XII (Oxford: Clarendon, 1994), 7–30 (James R. Davila); Tov, *Scribal Practices*, 75.

27. The scroll contains letters from the final verses of Genesis and parts of texts from Exod 1–4; 8–12; 16–20; 22; 25–28; 36; 40[?]. Eugene Ulrich, “An Index of the Passages in the Biblical Manuscripts from the Judean Desert: Genesis–Kings,” *DSD* 1 (1994): 106–11; Maier, *Die Qumran-Essener*, 2:15–16; Patrick W. Skehan, Eugene Ulrich, and Judith E. Sanderson, *Qumran Cave 4. IV: Palaeo-Hebrew and Greek Biblical Manuscripts*, DJD IX (Oxford: Clarendon, 1992), 17–50.

28. Ulrich and Cross, *Qumran Cave 4*, 133–34.

29. See Glessmer, “Liste der biblischen Texte,” 164–65; Maier, *Qumran-Essener*, 2:19; Ulrich and Cross, *Qumran Cave 4*, 153–76 (E. Ulrich); Tov, *Scribal Practices*, 75.

The formulation “the book of Moses and the books of the Prophets and David’s psalms” from 4QMMT (4Q397 [4QMMT^d]), which conspicuously speaks of the book of Moses in the singular,³⁰ supports this hypothesis.³¹ The scroll Mur 1 from Wadi Murabba’at is most likely a scroll of the Pentateuch; it contains fragments from Genesis (pieces from Gen 32–35), Exodus (4–6), and Numbers (34, 36).³²

Judging on the basis of the production of ancient scrolls, while one should not readily expect a scroll containing everything from Genesis–2 Kings, it was indeed possible. On the basis of the internal coherence of Genesis–2 Kings, it is certainly conceivable,³³ and verifiable for the rabbinic period, that there were scrolls containing at least Genesis–2 Kings. Gittin 60a forbids the use of separate scrolls of the individual books of the Pentateuch from the synagogue;³⁴ y. Meg. 73d as well as Sof. 3:1 allow for the further inference that the joining of the Torah and the Prophets was

30. See also the singular designation *משה תורה* in 1QS V, 8; VIII, 22; CD V, 2; XV, 2, 9, 12; etc.; or simply *התורה* in 1QS V, 21; VI, 6; CD VI, 4; XIV, 8; XV, 13; etc. (see Hartmut Stegemann, “Die ‘Mitte der Schrift’ aus der Sicht der Gemeinde von Qumran,” in *Mitte der Schrift? Ein jüdisch-christliches Gespräch: Texte des Berner Symposiums vom 6.–12. Januar 1985*, ed. Martin Klopfenstein et al. [Bern: Lang, 1987], 161 n. 39). In the Hebrew Bible, note also the notion of “the book (of the law) of Moses” *משה (תורת) ספר* in 2 Chr 25:4; 35:12; Neh 8:1; 13:1. Mark 12:26, which cites Exod 3:2, 6, similarly makes reference to the “book” (sg.) of Moses (see Otto Eissfeldt, *Einleitung in das Alte Testament unter Einschluss der Apokryphen und Pseudepigraphen sowie der apokryphen und pseudepigraphenartigen Qumran-Schriften: Entstehungsgeschichte des Alten Testaments*, 3rd ed., NTG [Tübingen: Mohr, 1964], 206).

31. Stegemann, “Die Mitte,” 164 n. 50, 165 n. 56, 180 n. 123; Maier, *Die Qumran-Essener*, 3:9–10. It is conceivable that there were scrolls in antiquity that consisted of the entire Hebrew Bible (cf. Oesch, *Petucha*, 118 n. 5 [see references]; Tov, *Scribal Practices*, 75), but this would have concerned exceptions. In Qumran there is nothing that indicates that such a scroll was produced or used.

32. Pierre Benoit, Jozef T. Milik, and Roland de Vaux, *Les grottes de Murabba’at*, DJD II (Oxford: Clarendon, 1961), 75–78. On p. 75, Milik states: “Les fragments de Gen et d’Ex, et le fr. 2 de Num, appartiennent presque certainement au même manuscrit.... Il est donc possible qu’originellement le rouleau ait contenu la Torah complète.” Cf. Tov, *Scribal Practices*, 75.

33. Cf. the considerations in Beckwith, *Canon*, 241–45; Schmid, *Buchgestalten*, 38–39; Hermann-Josef Stipp, “Ahabs Busse und die Komposition des deuteronomistischen Geschichtswerks,” *Bib* 76 (1995): 471–79.

34. Blau, *Buchwesen*, 65 and n. 3; Tov, *Der Text*, 166; Tov, *Scribal Practices*, 10 and n. 18 (see references).

practiced in some places in the rabbinical period.³⁵ Bava Batra 13b allows for the conception of a scroll that consisted of the entire Pentateuch, the Prophets, or the Writings, or even the entire Hebrew Bible.³⁶

However, such extensive scrolls are difficult to manage. Or as Callimachus stated: μέγα βιβλίον μέγα κακόν (“big book, big evil”),³⁷ so they were seldom produced. The customary subdivisions according to biblical books primarily took place for practical reasons. The total number of twenty-two or twenty-four books of the Hebrew Bible in Josephus or 4 Ezra 14 presupposes a single book per scroll,³⁸ though Samuel, Kings, the Twelve, Chronicles, and Ezra-Nehemiah each count as one book.³⁹ The linguistic use in Josephus, who sometimes refers to Isaiah, Daniel, and Ezekiel each as “books,” indicates that long individual books could be split up into more than one scroll.⁴⁰

The question of extensively comprehensive scrolls should, however, itself be relativized. Whether or not one considers such scrolls probable is of limited value for the question of whether an Enneateuch was conceivable. On the basis of analogies from ancient libraries,⁴¹ one should certainly reckon with cases in which the great historical opus extending from Genesis–2 Kings was divided up into different scrolls,⁴² and they were governed by a specific order: the scrolls can be ordered as a library

35. Blau, *Buchwesen*, 63 and n. 4; Sid Z. Leiman, *The Canonization of Hebrew Scripture: The Talmudic and Midrashic Evidence*, 2nd ed., Transactions of the Connecticut Academy of Arts and Sciences 47 (New Haven: Connecticut Academy of Arts and Sciences, 1991), 60–61; cf. also Oesch, *Petucha*, 118 n. 5.

36. Blau, *Buchwesen*, 40, 61–62; Brandt, *Endgestalten*, 64–65 and n. 219; Tov, *Scribal Practices*, 75.

37. Driver, *Semitic Writing*, 84 n. 5.

38. Juan Carlos Ossandón Widow, *The Origins of the Canon of the Hebrew Bible: An Analysis of Josephus and 4 Ezra*, JSJSup 186 (Leiden: Brill, 2018).

39. On the difference between twenty-two or twenty-four books, see the detailed discussions in Beckwith, *Canon*, 235–73; Otto Kaiser, *Die poetischen und weisheitlichen Werke*, vol. 3 in *Grundriss der Einleitung in die kanonischen und deuterokanonischen Schriften des Alten Testaments* (Gütersloh: Mohn, 1994), 124 n. 7; as well as the material in Hermann L. Strack and Paul Billerbeck, *Kommentar zum Neuen Testament* (Munich: Beck, 1922–1928), 4.1:419–23.

40. See the evidence in Beckwith, *Canon*, 264 n. 21, who notes that the same is the case for Sirach in rabbinic texts.

41. See the basic discussion in Olof Pedersén, *Archives and Libraries in the Ancient Near East 1500–300 B.C.* (Bethesda, MD: CDL, 1998).

42. Ben Zvi, “Looking at the Primary (Hi)story,” 27, speaks of a “multi-book unit.”

in such a way that the connection of each book is recognized both on the basis of the text and also organizationally.⁴³ Furthermore, keeping with the implicit presupposition of a “Pentateuch in five containers [preserved in books],” it was generally left open as to whether Genesis–Deuteronomy were conceived to have been written on one scroll or whether one should reckon with a work existing on five individual rolls but still belonging together.

1.4.

The reflections to this point have highlighted the redactional coherence of the great historical opus reaching from Genesis–2 Kings and demonstrated its conceivability in terms of the production of books—whether that be in terms of conceiving of a work connected materially on a single scroll or reckoning with a serial work on various scrolls. However, this leaves completely open the question of whether it is actually sensible to reckon with a work such as a self-contained Enneateuch. How self-sufficient is Genesis–2 Kings?

A judgment here must be based on considerations of *content*. It may be helpful first to recount the arguments for and against the hypothesis of such a work and then to undertake an evaluation. For it cannot be ruled out that a meaningful answer could come in the form of something other than a simple yes or no. It may possibly depend on the precise determination of what is meant by an Enneateuch.

It should, once again, first be highlighted that Genesis–2 Kings exists as a continuous and readable combination that breaks off at the end of 2 Kings. In the later history of transmission of both Christian Old Testaments as well as Jewish Bibles, this results in the fact that the canonical sequence of these books offers hardly any discrepancies. Genesis–2 Kings is the one part of the Hebrew Bible in which the sequence of books con-

43. Nahum M. Sarna, “The Order of the Books,” in *Studies in Jewish Bibliography, History and Literature in Honor of I. Edward Kiev*, ed. Charles Berlin (New York: Ktav, 1971), 407–13; Sarna, *Libraries*; Steck, *Der Abschluss*, 117; Brandt, *Endgestalten*, 62–66; also, Beckwith, *Canon*, 181–234, esp. 182. Beckwith calls attention to the fourfold distinctions in the order of the books of the Old Testament/Hebrew Bible in the lists and different manuscripts of early Judaism and the early church. Beckwith concludes that the various orders do not arise simply by chance in the orders of the books but should instead be explained as different ordering endeavors.

sists of no uncertainty in Jewish sources⁴⁴ and hardly any in Christian sources.⁴⁵ The continuous narrative framework in the present form of Genesis–2 Kings is not accidental but rather the result of a deliberate formation. Of course, not all of the texts or text complexes in Genesis–2 Kings were created at the outset for such an overarching complex, but whenever it emerged this overarching complex as such was an entity that was “made” rather than one that “came to be.”

On the other hand, contrary indications should also be mentioned: as much as Genesis–2 Kings may appear as a coherent complex, to this same degree it cannot be viewed as self-sufficient. The most elementary textual thread in Genesis–2 Kings arises from the theme of the land: Genesis–Joshua narrates the occupation of the land promised at the beginning, while Judges–Kings narrates its loss.⁴⁶ In this regard Genesis–2 Kings presents a theological zero-sum game.

This outcome has often been viewed as a problem, and scholars have attempted to find a shimmer of hope for the future in the final episode of 2 Kgs 25:27–30.⁴⁷ Gerhard von Rad was convinced that 2 Kgs 25:27–30 has “immense significance for the deuteronomist,” namely, “that the line

44. Beckwith, *Canon*, 119, 206, argues that Josephus places Job before Joshua (because authorship of Job is traditionally attributed to Moses, which is the order in the Peshitta); but this remains hypothetical.

45. Beckwith, *Canon*, 182; there is only the combination of Leviticus and Deuteronomy in several church fathers; cf. Heinrich Holzinger, *Einleitung in den Hexateuch* (Freiburg: Mohr, 1893), 2–3; Swete, *Introduction*, 226; Leiman, *Canonization*, 165 n. 264, the list by Epiphanius of Salamis (various orders, Beckwith, *Canon*, 189) and Bryennios (Genesis, Exodus, Leviticus, Joshua, Deuteronomy, Numbers, see Leiman, *Canonization*, 165 n. 264) as well as the Milan Codex (Psalms between Samuel and Kings, Beckwith, *Canon*, 196). On the location of the book of Ruth, see Irmtraud Fischer, *Rut*, HThKAT (Freiburg im Breisgau: Herder, 2001), 108–11. For an overview see Brandt, *Endgestalten*.

46. See already Manfred Weippert, “Fragen des israelitischen Geschichtsbewusstseins,” VT 23 (1973): 441; cf. Schmid, *Erzväter*, 21; Gosse, “L’inclusion.”

47. Meik Gerhards, “Die Begnadigung Jojachins—Überlegungen zu 2.Kön. 25,27–30 (mit einem Anhang zu den Nennungen Jojachins auf Zuteilungslisten aus Babylon),” BN 94 (1998): 52–67; see also the circumspect discussion of Jakob Wöhrle, “Die Rehabilitierung Jojachins: Zur Entstehung und Intention von 2 Kön 24,17–25,30,” in *Berührungspunkte: Studien zur Sozial- und Religionsgeschichte Israels und seiner Umwelt; Festschrift für Rainer Albertz zu seinem 65. Geburtstag*, ed. Ingo Kottsieper, Rüdiger Schmitt, and Jakob Wöhrle, AOAT 350 (Münster: Ugarit-Verlag, 2008), 213–38.

of David has not come to an irrevocable end.”⁴⁸ On the other hand, Martin Noth was of the opinion that the author of the Deuteronomistic History “appended [this section] because this event—while irrelevant for the history—still belonged to the presentation of the fate of the Judahite kings.”⁴⁹ Both interpretations have found followers: Noth’s minimalistic exegesis is favored by Ludwig Schmidt, Ernst Würthwein, Christopher T. Begg, Bob Becking, and Meik Gerhards.⁵⁰ In favor of a maximalistic view are Erich Zenger and Jon D. Levenson.⁵¹

On the one hand, the placement of 2 Kgs 25:27–30 is conspicuous; on the other hand, one should not overplay the unpretentious character of the section, which would overload it theologically.⁵² More promising is a different explanation of the determination of the theological aim of the course of Genesis–2 Kings.

48. Gerhard von Rad, “The Deuteronomic Theology of History in *I* and *II Kings*,” in *The Problem of the Hexateuch and Other Essays*, trans. E. W. Trueman Dicken (Edinburgh: Oliver & Boyd, 1966), 220.

49. Martin Noth, *Überlieferungsgeschichte des Pentateuch* (Stuttgart: Kohlhammer, 1948), 87, cf. 108.

50. Following the terminology in Christopher T. Begg, “The Significance of Jehojachin’s Release: A New Proposal,” *JSOT* 36 (1986): 49. And see Ludwig Schmidt, “Deuteronomistisches Geschichtswerk,” in *Altes Testament*, ed. Hans-Jochen Boecker et al., 5th ed., Neukirchener Arbeitsbücher (Neukirchen-Vluyn: Neukirchener Verlag, 1996), 138–39; Ernst Würthwein, *Die Bücher der Könige*, ATD 11, 2 vols. (Göttingen: Vandenhoeck & Ruprecht, 1977–1984), 2:481–84; Begg, “Significance,” 53; Bob Becking, “Jehojachin’s Amnesty, Salvation for Israel? Notes on 2 Kings 25,27–30,” in *Pentateuchal and Deuteronomistic Studies: Papers Read at the XIIIth IOSOT Congress 1989*, ed. Christian Breckelmans and Johann Lust, BETL 94 (Leuven: Leuven University Press, 1990), 283–93; and Gerhards, “Die Begnadigung.”

51. Erich Zenger, “Die deuteronomistische Interpretation der Rehabilitierung Jojachins,” *BZ* 12 (1968): 16–30; Jon D. Levenson, “The Last Four Verses in Kings,” *JBL* 103 (1984): 353–61.

52. See on this especially Begg, “Significance,” 51–55. Thomas Römer, “Transformations in Deuteronomic and Biblical Historiography: On ‘Book-Finding’ and Other Literary Strategies,” *ZAW* 109 (1997): 10–11, locates the piece intellectually in the vicinity of the “diaspora novella.” Cf. now also Donald F. Murray, “Of All the Years of Hope—or Fears? Jehoiachin in Babylon (2 Kings 25:27–30),” *JBL* 120 (2001): 245–65; and Jeremy Schipper, “‘Significant Resonances’ with Mephibosheth in 2 Kings 25:27–30: A Response to D. F. Murray,” *JBL* 124 (2005): 521–29, esp. 523: “one can strengthen Murray’s case that 2 Kgs 25:27–30 presents little hope for the restoration of Davidic kingship, but still presents hope of a tolerable exilic future.”

What Israel had to expect after the destruction of Jerusalem by the Babylonians cannot be ascertained on the basis of the short concluding passage of the historical books in 2 Kgs 25:27–30 but is rather the object of extensive theological discussion and debate in the subsequent prophetic books.⁵³ The prophetic corpus following the historical books opens with a view toward the future. The opening book itself—the book of Isaiah—offers something of an overall compendium of what the subsequent prophets will once again perform in their own books—each according to its particular epoch: Isaiah pronounces judgment (see Jeremiah), but also the coming salvation (Isa 40–66; see Ezekiel and the Twelve). If one reads Genesis–2 Kings as an overarching historical opus of salvation and calamity with the main break coming after the book of Joshua, which concludes the history of salvation, then the arrangement of the MT’s content makes Genesis–2 Kings lead to the prophetic corpus. The prophetic books make the decisive proclamations about Israel’s future.⁵⁴

Do the connections in content and terminology between the final chapter of Genesis–2 Kings, 2 Kgs 25, and the ensuing chapter in the canonical order of reading, Isa 1, show that this order of reading is coherent?⁵⁵ Various statements in Isa 1 give off the impression that they were formulated virtually as answers to problems arising through the account of 2 Kgs 25. Isaiah 1:2–9, particularly 1:7, look back on a judgment taking place through a calamity of fire like the one reported in 2 Kgs

53. Also see James A. Sanders, “Canon,” *ABD* 1:844–45.

54. In the historical books themselves, an orientation toward the future also resonates, but only in isolated places and with restraint. Noteworthy are Lev 26:42–45; Deut 4:29–31; 30:1–10; 32:1–43; and 1 Kgs 8:46–53. These reach beyond the exile, looking ahead to possible salvation for Israel. This emphasis of the Prophets in the three steps of Genesis–Joshua; Judges–2 Kings; Isaiah–Zechariah/Malachi was later corrected decisively so that it is not Genesis–Joshua, but rather Genesis–Deuteronomy as the first and most important part of the canon separated out from Genesis–2 Kings. The Torah is therefore an entity that is open-ended at its conclusion. While its promises are followed by the report of the occupation of the land, now they are decoupled from the *Nevi'im* of which the book of Joshua is a part. As a result, the Torah itself is provided with something of a prophetic quality: its declarations should not be understood historically in the sense that they aim at the history of Israel that has already taken place, but they point beyond. For more detail on this issue, see Schmid, *Erzväter*, 290–301.

55. Joachim Eck, *Jesaja 1: Eine Exegese der Eröffnung des Jesaja-Buches; Die Präsentation Jesajas und JHWHs, Israels und der Tochter Zion*, BZAW 473 (Berlin: de Gruyter, 2015). Unfortunately, Eck neither detects nor discusses connections between 2 Kgs 25 and Isaiah.

25:9.⁵⁶ The description of Zion after the catastrophe as “a booth in the vineyard” or “lodge in the field of cucumbers” (Isa 1:8) fits with the rural depiction of the remnant in 2 Kgs 25:12 (“winegrowers,” “plowmen”). The radical critique of sacrifice in Isa 1:10–15 can be read as a continued interpretation of the destruction of the temple and abduction of the cultic utensils in 2 Kgs 25:8–12, 13–21.⁵⁷ In terms of theology, Isa 1 repeatedly takes up “covenant-theological” motifs from Deuteronomy (and Lev 26), thereby accentuating the Deuteronomistic logic from 2 Kgs 25.⁵⁸ In addition to the often observed similarity between Isa 1 and Isa 65–66 and the threads that lead from Isa 1 into the book, the canonical connection between Isaiah and 2 Kings should also be taken into consideration for the interpretation of the chapter.⁵⁹

1.5.

In light of the above, how should the question of the Enneateuch be decided? Was there ever a grand historical opus extending from Genesis to 2 Kings?

The answer must be: not as a self-sufficient entity. Genesis–2 Kings point beyond themselves and are dependent on the continuation of the content in the books of the prophets. In this respect, there never was a grand historical work extending from Genesis–2 Kings *as a self-contained entity*. One should instead reckon with a progression of the historical books and the prophets, of Genesis–2 Kings and the prophetic corpus that in a later step was subdivided into Torah (Genesis–Deuteronomy) and Prophets (Joshua–Malachi). The internal logic of the sequence from Genesis–2 Kings + Isaiah–Zechariah/Malachi is, in the first place, not the same as the application and interpretation of the Mosaic law through the succession of the prophets beginning with Joshua. Instead, this overarch-

56. Willem A. M. Beuken, *Jesaja 1–12*, HThKAT (Freiburg im Breisgau: Herders, 2003), 69.

57. On this see Reinhart G. Kratz, “Die Kultpolemik der Propheten im Rahmen der israelitischen Kultgeschichte,” in *Religion und Wahrheit: Religionsgeschichtliche Studien; Festschrift für Gernot Wiessner zum 65. Geburtstag*, ed. Bärbel Köhler (Wiesbaden: Harrassowitz, 1998), 101–16.

58. Uwe Becker, *Jesaja: Von der Botschaft zum Buch*, FRLANT 178 (Göttingen: Vandenhoeck & Ruprecht, 1997), 185.

59. Cf. Becker, *Jesaja*, 176–92; Joseph Blenkinsopp, *Isaiah 1–39: A New Translation with Introduction and Commentary*, AB 19 (New York: Doubleday, 2000), 181.

ing combination appears to formulate an image of history as a “doubly broken line.”⁶⁰ Following the first history of salvation in Genesis–Joshua, there initially comes a history of destruction in Judges–2 Kings but then a new promising view toward the future in Isaiah–Zechariah/Malachi.⁶¹

If one considers Chronicles + Ezra/Nehemiah, which at some point might have formed an extended Chronistic History, then this overarching work likely presupposes this overarching view of history from Genesis–Zechariah/Malachi and seems to take it up in its own way.⁶² In the same

60. Klaus Koch, “Geschichte/Geschichtsschreibung/Geschichtsphilosophie II. Altes Testament,” *TRE* 12:579.

61. An example that illuminates this status for the Enneateuch is the somewhat comparable case of the Pentateuch. Was there ever a single Pentateuch? The answer to this apparently trivial question is not a simple yes, but rather must be formulated in a more complex manner. The Pentateuch is a literary and theological entity but not in an absolute sense. Within the framework of Judaism and Christianity, the Pentateuch is bound up within a larger canonical whole that carries forward its open ending. The Pentateuch does not even constitute a separate entity for the Samaritans for whom a separate version of Joshua is known that might date back to the thirteenth century CE. On the Pentateuch’s status, see Gary N. Knoppers, *Jews and Samaritans: The Origins and History of Their Early Relations* (New York: Oxford University Press, 2013); for older views, see Moses Gaster, “Das Buch Josua in hebräisch-samaritanischer Rezension,” *ZDMG* 62 (1908): 209–79, 494–549; Alan D. Crown, “The Date and Authenticity of the Samaritan Hebrew Book of Joshua as Seen in Its Territorial Allotments,” *PEQ* 96 (1964): 79–97, which however, the Samaritans have not accepted as holy scripture. On the high estimation of Joshua among Samaritans, see Jürgen Zangenberg, *ΣΑΜΑΡΕΙΑ: Antike Quellen zur Geschichte und Kultur der Samaritaner in deutscher Übersetzung*, TANZ 15 (Tübingen: Francke, 1994), 181–82. On the so-called Samaritan Chronicle II that contains material from Joshua–2 Kings, Chronicles; as well as Psalms, see John Macdonald, *The Samaritan Chronicle No. II (or: Sepher Ha-Yamim): From Joshua to Nebuchadnezzar*, BZAW 107 (Berlin: de Gruyter, 1969), text: 77–191; Paul Stenhouse, “Samaritan Chronology,” in *Proceedings of the First International Congress of the Société d’Études samaritaines, Tel-Aviv, April 11–13, 1988*, ed. Abraham Tal and Moshe Florentin (Tel-Aviv: Tel Aviv University Press, 1991), 173–87; Zangenberg, *ΣΑΜΑΡΕΙΑ*, 195–213.

62. See the balanced discussion of Gary N. Knoppers, *I Chronicles 1–9: A New Translation with Introduction and Commentary*, AB 12 (New York: Doubleday, 2003), 73–75; Knoppers, “The Relationship of the Deuteronomistic History to Chronicles: Was the Chronicler a Deuteronomist?,” in *Congress Volume Helsinki 2010*, ed. Martti Nissinen, VTSup 148 (Leiden: Brill, 2012), 307–41; Odil H. Steck, “Zur Rezeption des Psalters im apokryphen Baruchbuch,” in *Neue Wege der Psalmenforschung: Für Walter Beyerlin*, ed. Klaus Seybold and Erich Zenger, HBS 1 (Freiburg im Breisgau: Herder, 1994), 371–72; Louis C. Jonker, “Was the Chronicler More Deuteronomic Than the

way that 1–2 Chronicles can be seen as a reception of Genesis–2 Kings, Ezra/Nehemiah can be seen as a reception of Isaiah–Zechariah. However, in the Chronistic adaptation, the weight of the content shifts considerably. The extended Chronistic History (Chronicles + Ezra/Nehemiah) provides a theological contrast to Genesis–2 Kings + Isaiah–Zechariah/Malachi, which sees Israel's salvation in the practice of the temple cult founded by David and Solomon rather than in the future proclaimed by the prophets.⁶³

The literary combination of Genesis–2 Kings plus the prophetic corpus can be dated historically between the later but still Persian-period separation of the Torah⁶⁴ from Genesis–2 Kings⁶⁵ and the Chronistic History as

Deuteronomist? Explorations into the Chronicler's Relationship with Deuteronomic Legal Traditions," *SJOT* 27 (2013): 185–97; Jonker, "From Paraleipomenon to Early Reader: The Implications of Recent Chronicle Studies for Pentateuchal Criticism," in *Congress Volume Munich 2013*, ed. Christl M. Maier, VTSup 163 (Leiden: Brill, 2014), 217–54.

63. See Otto, *Das Deuteronomium im Pentateuch*, 235 n. 7.

64. The ongoing formation of the Torah during the Persian period, which does not exclude but rather assumes later textual intrusions (e.g., the chronological system in Gen 5 or 11 or in Num 22–24; see Schmid, *Erzväter*, 19–22) is implied by various indicators. First, literary reflexes of the collapse of the Persian Empire like those found in the striking texts concerning the judgment of the world in the prophetic corpus (see Isa 34:2–4; Jer 25:27–31; 45:4–5; Joel 4:12–16; Mic 7:12–13; Zeph 3:8; see Schmid, *Buchgestalten*, 305–9) are absent. As such, the substance of the Pentateuch appears to be pre-Hellenistic. Additionally, the evidence in Chronicles and Ezra–Nehemiah presupposes the written concretization of the Torah. However, the conventional Persian period placement of related texts in Chronicles and Ezra–Nehemiah has been set in motion, and scholars reckon with an increasingly long history of literary growth (see Juha Pakkala, *Ezra the Scribe: The Development of Ezra 7–10 and Nehemiah 8*, BZAW 347 [Berlin: de Gruyter, 2004]). In any case, it appears that the earlier portions of the book of Ezra in Ezra 10 recur on fully developed, written texts of Torah like Deut 7:1–6, which would be convenient for the traditional argument. Finally, mention should be made of the formation of the LXX, which should be placed around the middle of the third century BCE for the books of the Pentateuch and serves as a *terminus ante quem* (cf. Siegert, *Bibel*, 42). See further Konrad Schmid, "Der Abschluss der Tora als exegetisches und historisches Problem," in *Schriftgelehrte Traditionsliteratur: Fallstudien zur innerbiblischen Schriftauslegung im Alten Testament*, FAT 77 (Tübingen: Mohr Siebeck, 2011), 159–184; Schmid, "How to Identify a Persian Period Text in the Pentateuch," §12 in the present volume; repr. from *On Dating Biblical Texts to the Persian Period*, ed. Richard J. Bautch and Mark Lackowski, FAT 2/101 (Tübingen: Mohr Siebeck, 2019), 101–18; Jan C. Gertz et al., eds., *The Formation of the Pentateuch*:

its *terminus ad quem*, on one hand, and the earlier redactional connection between Genesis and Exodus (and the following books) in the wake of the Priestly document as the *terminus a quo*, on the other.⁶⁶ In the fifth and fourth centuries BCE, one might actually still have read Genesis–2 Kings without the later canonical break between Deuteronomy and Joshua. This coherent reading would have then flowed directly into the prophetic corpus.

Bridging the Academic Cultures between Europe, Israel, and North America, FAT 111 (Tübingen: Mohr Siebeck, 2016); note the reservations of Ronald Hendel, “A Hasmonean Edition of MT Genesis? The Implications of the Editions of the Chronology in Genesis 5,” *HBAI* 1 (2012): 448–64.

65. The question of the possible simultaneous competition with a Hexateuch must be bracketed out for now. See Konrad Schmid, “Der Pentateuchredaktor: Beobachtungen zum theologischen Profil des Toraschlusses in Dtn 34,” in *Les dernières rédactions du Pentateuque, de l’Hexateuque et de l’Ennéateuque*, ed. Thomas Römer and Konrad Schmid, BETL 203 (Leuven: Leuven University Press, 2006), 183–97; cf., e.g., Otto, *Das Deuteronomium im Pentateuch*, 243–46; Thomas Römer, “Pentateuque, Hexateuque et historiographie deutéronomiste: Le problème du début et de la fin du livre de Josué,” *Transeu* 16 (1998): 71–86; Römer, “La mort de Moïse (Dt 34) et la naissance de la Torah à l’époque perse,” *FoiVie* 103 (2004): 31–44; Römer, *The So-Called Deuteronomistic History: A Sociological, Historical and Literary Introduction* (London: T&T Clark, 2005), 178–93; Thomas Römer et al., eds., *Introduction à l’Ancien Testament*, MdB 49 (Geneva: Labor et Fides, 2004), 104–9; Thomas Römer and Marc Z. Brettler, “Deuteronomy 34 and the Case for a Persian Hexateuch,” *JBL* 119 (2000): 401–19; Reinhard Achenbach, *Die Vollendung der Tora: Studien zur Redaktionsgeschichte des Numeribuches im Kontext von Hexateuch und Pentateuch*, BZABR 3 (Wiesbaden: Harrassowitz, 2003); Achenbach, “Pentateuch, Hexateuch und Ennéateuch.”

66. Schmid, *Erzväter*; Jan C. Gertz, *Tradition und Redaktion in der Exoduserzählungen: Untersuchungen zur Endredaktion des Pentateuch*, FRLANT 186 (Göttingen: Vandenhoeck & Ruprecht, 2000); Gertz, Schmid, and Witte, *Abschied vom Jahwisten*.

Deuteronomy within the “Deuteronomistic Histories” in Genesis–2 Kings

2.1. The Problem of the Literary Interconnectedness of Deuteronomy in Its Contexts

Research on Deuteronomy traditionally involves four main areas: (1) the question of the literary layers of Deuteronomy (including the problem of the so-called Ur-Deuteronomy); (2) the question of the historical context of the literary core of Deuteronomy (traditionally, the connection with the Josianic reform); (3) the relationship between Deuteronomy and the book of the covenant; and (4) the question of the literary integration of Deuteronomy into its contexts.

The fourth problem area, which pertains to the question of Deuteronomy between the Pentateuch and the Deuteronomistic History, received little attention for quite some time.¹ In the twentieth century, studies pro-

This essay is a revised and updated version of “Das Deuteronomium innerhalb der ‘deuteronomistischen Geschichtswerke’ in Gen–2Kön,” in *Das Deuteronomium zwischen Pentateuch und deuteronomistischem Geschichtswerk*, ed. Eckart Otto and Reinhard Achenbach, FRLANT 206 (Göttingen: Vandenhoeck & Ruprecht, 2004), 193–211. My thanks to Phillip Lasater for translating the original German text.

1. See, e.g., the concise (and at the same time, aporetic) statements of Horst Dietrich Preuss, *Deuteronomium*, EdF 164 (Darmstadt: Wissenschaftliche Buchgesellschaft, 1982), 22–23. But lately the situation has changed. See the recent work of Reinhard G. Kratz, “Der literarische Ort des Deuteronomiums,” in *Liebe und Gebot: Studien zum Deuteronomium; Festschrift zum 70. Geburtstag von Lothar Perlitt*, ed. Reinhard G. Kratz and Hermann Spieckermann, FRLANT 190 (Göttingen: Vandenhoeck & Ruprecht, 2002), 101–20; Kratz, *Die Komposition der erzählenden Bücher des Alten Testaments*, UTB 2157 (Göttingen: Vandenhoeck & Ruprecht, 2000), 118–38; English translation: *The Composition of the Narrative Books of the Old Testament*, trans. John Bowden (New York: T&T Clark, 2005), 114–33; Eckart Otto, “Deuteronomium und

ceeded largely from two primary and supposedly clear premises: early on, leaning toward a Tetrateuch and in the wake of Wilhelm Martin Leberecht de Wette, scholars *separated* Deuteronomy from the preceding books; later, leaning toward the Former Prophets and through the influence of Martin Noth, scholars *unified* Deuteronomy with these books and analyzed them as a Deuteronomistic History extending from Deuteronomy

Pentateuch: Aspekte der gegenwärtigen Debatte,” *ZABR* 6 (2000): 222–84; also, Otto’s monograph *Das Deuteronomium im Pentateuch und im Hexateuch*, FAT 30 (Tübingen: Mohr Siebeck, 2001); for a more recent history of research, Timo Veijola, “Deuteronomismuskforschung zwischen Tradition und Innovation (III),” *TRu* 68 (2003): 1–44. Otto holds an especially pointed position in response to the question of the literary connection of Deuteronomy to the books of the Former Prophets after Joshua: “Die umgreifende Redaktion der Vorderen Propheten unter Einschluss des Richterbuches als negatives Gegenstück zum Pentateuch einerseits und zum *corpus propheticum* andererseits ist längst postdtr, setzt die Pentateuchredaktion im 5. Jh. voraus und hat in Zuge der Kanonsformierung eine als protoapokalyptisch zu bezeichnende Geschichtsinterpretation zur Voraussetzung.... Die endgültige Formierung der Vorderen Propheten als Verbindungsstück zwischen Tora und *corpus propheticum* unter Einschluss des von der Pentateuchredaktion abgetrennten Josuabuches und der dtr Grundschichten in den Samuel- und Königsbüchern ist bereits ein Akt der Kanonsbildung im 3./2. Jh. v.Chr.” (*Das Deuteronomium im Pentateuch*, 235 n. 7; see further Veijola, “Das Deuteronomium im Pentateuch und im Hexateuch,” *TRu* 68 [2003]: 374–82). According to Otto, Josh 24 concludes a formerly literarily independent Hexateuch. As an argument, he presents the observation that, within Genesis–2 Kings as a literary unit, there are no explicit cross-references akin to the hexateuchal thread of the transfer and burial of Joseph’s bones (Gen 50:25; Exod 13:19; Josh 24:32). Certainly, hexateuchal lines come to a close in Josh 24. But simultaneously in this very chapter—and not literarily isolable from hexateuchal perspectives—new lines open up that continue in Judges–2 Kings (simply consider Judg 6:7–10; 10:10–16; 1 Sam 7:3–4; 10:17–19; 12:10; additionally, Erhard Blum, *Die Komposition der Vätergeschichte*, WMANT 57 [Neukirchen-Vluyn: Neukirchener Verlag, 1984], 45–61). Interpretations concerning their chronological location may vary, but they most likely did not emerge only as late as the third to second century BCE. The contention that Josh 24:19–20 as well contains no “Hinweis auf eine Fortsetzung des Hexateuch in den Vorderen Propheten” (Otto, *Das Deuteronomium im Pentateuch*, 220) should instead be understood in view of Josh 23:15–16 (Otto’s DtrL). This reading, on the one hand, clearly conflicts with Otto’s argument by indicating a corresponding narrative continuation in the text’s meaning, and, on the other hand, Josh 23:15–16 already clearly leads into the Former Prophets: “Was Jos 23,16a als Warnung formuliert werden musste, wird 2K 17,15a als negative Erfüllung konstatiert: das Verschmähen [מאס] und das Übertreten [עָרַב] der ברית” (Lothar Perlitt, *Bundestheologie im Alten Testament*, WMANT 36 [Neukirchen-Vluyn: Neukirchener Verlag, 1969], 19).

through 2 Kings. According to Noth, Deuteronomy is linked above all with the redaction history of the following books of Joshua–2 Kings. As for the preceding context, he claims the opposite: “In the books Genesis through Numbers, there is no trace of a ‘Deuteronomistic redaction,’ as it is generally acknowledged.”² The issue seemed clear: the deepest break in the narrative continuity of Genesis–2 Kings lies between Numbers and Deuteronomy, suggesting that the two fundamental blocks of the great historical work of Genesis–2 Kings consist of the non-Deuteronomistic Tetrateuch, Genesis–Numbers, and the Deuteronomistic History, Deuteronomy–2 Kings. Deuteronomy was originally the beginning of the Deuteronomistic History prior to being added as the ending of the Tetrateuch during the process of the Torah’s formation.

Nonetheless, as is typical with the fading of long-established scholarly practice, several points have proven problematic for this both simplistic and widely accepted thesis. Chiefly, it depends on an astonishingly implausible composition-critical theory that necessarily postulates a massive loss of text: the context of Genesis–Numbers running from creation to Balaam was the surviving remnant of an older (Yahwistic) account that was completed by a report of the conquest, which purportedly disappeared in the process of its combination with the Deuteronomistic History. It is hardly convincing that within the same theoretical framework one must assume that, as the redactors compiled sources, they included virtually everything from the flood narrative (Gen 6–9) or the passage through the sea (Exod 13–14) in order to preserve their source material, whereas in the combination of the Hexateuch and the Deuteronomistic History the redactors were simply able to delete the entire conquest account.

It appears, then, that the standard theses representing Genesis–Numbers as non-Deuteronomistic and Deuteronomy–2 Kings as Deuteronomistic cannot withstand scrutiny. There has been an

2. Martin Noth, *Überlieferungsgeschichtliche Studien: Die sammelnden und bearbeitenden Geschichtswerke im Alten Testament* (Stuttgart: Kohlhammer, 1943), 13: “In den Büchern Gen.–Num. fehlt jede Spur einer ‘deuteronomistischen Redaktion,’ wie allgemein anerkannt ist,” with this small restriction: “Dass es einzelne Stellen gibt, an denen der alte Text im deuteronomistischen Stile erweitert worden ist, wie etwa Ex. 23,20ff. und Ex 34,10ff., hat mit Recht meines Wissens noch niemand für ein Merkmal einer durchgehenden ‘Redaktion’ gehalten” (n. 1; on this issue, see also Axel Graupner, *Der Elohist: Gegenwart und Wirksamkeit des transzendenten Gottes in der Geschichte*, WMANT 97 [Neukirchen-Vluyn: Neukirchener Verlag, 2002], 5). Unless otherwise noted, all translations are mine.

oversimplification not only of the problem of defining the term *Deuteronomistic*³ but also of the issues surrounding the characteristic linguistic orientation and argumentative thrust of the (multilayered) book of Deuteronomy.⁴ A great number of Deuteronomisms occur especially in Exodus and also in Numbers. On the other hand, not everything in Deuteronomy–2 Kings that sounds Deuteronomistic necessarily belongs in this category in terms of matter of content. Linguistic and theological Deuteronomisms do not always coincide. To cite just one example: the expansive so-called Deuteronomistic Judges schema, with its motific combination of the “outcry” (זעק, Judg 3:9, 15; 4:3; 6:6; 10:10) and the subsequent assistance,⁵ resembles the Priestly source (e.g., Exod 2:23–25*) much more closely than it resembles Deuteronomism. This schema is probably not pre-Priestly but rather belongs to the sphere of post-Priestly composite P-D texts.⁶ At any rate, Genesis–Numbers is not consistently non-Deuteronomistic, and Deuteronomy–2 Kings is

3. See Konrad Schmid, *Buchgestalten des Jeremiabuches: Untersuchungen zur Redaktion und Rezeptionsgeschichte von Jer 30–33 im Kontext des Buches*, WMANT 72 (Neukirchen-Vluyn: Neukirchener Verlag, 1996), 31–33. Additionally, see the discussion in Richard Coggins, “What Does ‘Deuteronomistic’ Mean?,” in *Those Elusive Deuteronomists: The Phenomenon of Pan-Deuteronomism*, ed. Linda S. Schearing and Steven L. McKenzie, JSOTSup 268 (Sheffield: Sheffield Academic, 1999), 22–35; also note Veijola, “Deuteronomismforschung,” 26–27; as well as Walter Dietrich, “Deuteronomistisches Geschichtswerk,” RGG 2:688–92.

4. Here, we go beyond Noth’s postulated “linguistic evidence” (*Überlieferungsgeschichtliche Studien*, 4).

5. Also, the motif of pity in no way belongs primarily among the Deuteronomisms whether in terms of statistics or content. Rather, it presupposes a Priestly motivated transformation (נחם Judg 2:18; see the parallels in Horacio Simian-Yofre, “נחם,” TDOT 9:348; Jörg Jeremias, *Die Reue Gottes: Aspekte alttestamentlicher Gottesvorstellung*, BThSt 31 [Neukirchen-Vluyn: Neukirchener Verlag, 1997], 45 n. 7; but for both interpreters, Judg 2:18 still qualifies as “Deuteronomistic” by virtue of its belonging to the Judges schema).

6. See Konrad Schmid, *Erzväter und Exodus: Untersuchungen zur doppelten Begründung der Ursprünge Israels innerhalb der Geschichtsbücher des Alten Testaments*, WMANT 81 (Neukirchen-Vluyn: Neukirchener Verlag, 1999), 220; English trans.: *Genesis and the Moses Story: Israel’s Dual Origins in the Hebrew Bible*, Siphut 3 (Winona Lake, IN: Eisenbrauns, 2010), 203–4. For the position of Judges in Genesis–Kings, see Philippe Guillaume, *Waiting for Josiah: The Judges*, JSOTSup 385 (London: T&T Clark, 2004); Walter Gross, “Das Richterbuch zwischen deuteronomistischem Geschichtswerk und Enneateuch,” in *Das deuteronomistische Geschichtswerk*, ed. Hermann-Josef Stipp, ÖBS 39 (Frankfurt am Main: Lang, 2011), 177–205.

not consistently Deuteronomistic. To the contrary, both textual blocks should be judged as variegated.

Furthermore, it was already disputed in the classical model of the Deuteronomistic History whether the Deuteronomic law (Deut 12–26) was part of the work from the beginning or whether its incorporation only occurred later, as, for example, Julius Wellhausen, Gerhard von Rad, Hans Walter Wolff, and Jon D. Levenson have suspected.⁷ Indeed, the theological history in Joshua–2 Kings, particularly in 2 Kings, coheres to a degree but still not precisely with the wording and argumentative thrust of the Deuteronomic law.⁸ Specifically, significant differences appear concerning the royal ideology, as, for example, Bernhard Levinson and Gary Knoppers have clarified.⁹

Finally, it makes little narratological sense to sever the account of the exodus and the wilderness wandering in Exodus–Numbers so sharply from the overall literary context of Deuteronomy–2 Kings, which is the logical result from the hypothesis of a Deuteronomistic History. First, the overarching chronological framework of Deuteronomy–2 Kings is based on the exodus as a point of departure (see most prominently 1 Kgs 6:1: “In the four hundred eightieth year after the Israelites came out of the land of Egypt, in the fourth year of Solomon’s reign over Israel, in the month of Ziv, which is the second month, he began to build the house of YHWH”). Second, the numerous references back to the exodus in both

7. See Konrad Schmid, “The Persian Imperial Authorization as Historical Problem and as Biblical Construct: A Plea for Differentiations in the Current Debate,” §11 in the current volume; repr. from *The Pentateuch as Torah: New Models for Understanding Its Promulgation and Acceptance*, ed. Gary N. Knoppers and Bernard M. Levinson (Winona Lake, IN: Eisenbrauns, 2007), 22–38.

8. See already the observations of Jon D. Levenson, “Who Inserted the Book of the Torah?,” *HTR* 68 (1975): 221–31.

9. Bernard M. Levinson, “The Reconceptualization of Kingship in Deuteronomy and the Deuteronomistic History’s Transformation of Torah,” *VT* 51 (2001): 525: “The double denial by the Deuteronomic author that there should be any connection between king and cult is reversed by the Deuteronomistic Historian.” It should, however, be investigated whether or not the conceptual differences unfold in the opposite direction: The Deuteronomic authors do not necessarily precede the Deuteronomistic Historians. Cf. also Gary N. Knoppers, “The Deuteronomist and the Deuteronomic Law of the King: A Reexamination of a Relationship,” *ZAW* 108 (1996): 329–46; Knoppers, “Rethinking the Relationship between Deuteronomy and the Deuteronomistic History: The Case of Kings,” *CBQ* 63 (2001): 393–415.

Deuteronomy¹⁰ and Joshua–2 Kings¹¹ cast doubt upon the exclusion of Exodus–Numbers.¹² This position is further exacerbated when interpreters such as John Van Seters, Erhard Blum, and Martin Rose tend toward the view that the redactional combination of Genesis–Numbers is post-Deuteronomistic, since the retrospective summary in Deut 1–3 would otherwise lack its narrative foundation.¹³

10. See further Siegfried Kreuzer, “Die Exodustradition im Deuteronomium,” in *Das Deuteronomium und seine Querbeziehungen*, ed. Timo Veijola, SESJ 62 (Göttingen: Vandenhoeck & Ruprecht; Helsinki: Finnish Exegetical Society, 1996), 81–106.

11. See further Claus Westermann, *Die Geschichtsbücher des Alten Testaments: Gab es ein deuteronomistisches Geschichtswerk?*, TB 87 (Gütersloh: Mohn, 1994), 39–40; Thomas Römer and Albert de Pury, “L’historiographie deutéronomiste (HD): Histoire de la recherche et enjeux du débat,” in *Israël construit son histoire: L’historiographie deutéronomiste à la lumière des recherches récentes*, ed. Albert de Pury, Jean-Daniel Macchi, and Thomas Römer, MdB 34 (Geneva: Labor et Fides, 1996), 85; English trans.: “Deuteronomistic Historiography (DH): History of Research and Debated Issues,” in *Israel Constructs Its History: Deuteronomistic Historiography in Recent Research*, ed. Albert de Pury, Jean-Daniel Macchi, and Thomas Römer, JSOTSup 306 (Sheffield: Sheffield Academic, 2000), 24–141; Schmid, *Erzväter*, 77–78 = *Genesis and the Moses Story*, 70; Kratz, *Die Komposition*, 174 with n. 77 = *Composition*, 170–71 (see 1 Kgs 6:1; 8:9, 16, 21, 51, 53; 9:9; 12:28; 2 Kgs 17:7, 36; 21:15). See also Siegfried Mittmann, *Deuteronomium 1:1–6:3: Literarkritisch und traditionsgeschichtlich untersucht*, BZAW 139 (Berlin: de Gruyter, 1975), 177–78.

12. With Ernst Axel Knauf (“L’Historiographie Deutéronomiste’ [DtrG] existe-t-elle?,” in de Pury et al., *Israël construit son histoire*, , 418; English trans.: “Does ‘Deuteronomistic Historiography’ [DtrH] Exist?,” in de Pury et al., *Israel Constructs Its History*, 398) as well as A. Graeme Auld (“The Deuteronomists and the Former Prophets, or What Makes the Former Prophets Deuteronomistic?,” in Shearing and McKenzie, *Those Elusive Deuteronomists*, 121), it should be stressed that in the historical summaries in the Psalter, the narrative sequence of Genesis–Deuteronomy, Genesis–Joshua, Joshua–Kings, and/or Genesis–Kings are evoked—but not of Deuteronomy–Kings.

13. See Schmid, *Erzväter*, 36–37 = *Genesis and the Moses Story*, 31–33. For a discussion of the composition history of Deut 1–3 see Jan C. Gertz, “Kompositorische Funktion und literarhistorischer Ort von Deuteronomium 1–3,” in *Die deuteronomistischen Geschichtswerke: Redaktions- und religionsgeschichtliche Perspektiven zur “Deuteronomismus”-Diskussion in Tora und Vorderen Propheten*, ed. Jan C. Gertz et al., BZAW 365 (Berlin: de Gruyter, 2006), 103–23; Eckart Otto, “Deuteronomiumstudien I: Die Literaturgeschichte von Deuteronomium 1–3,” *ZABR* 14 (2008): 86–236; Otto, “Deuteronomium 1–3 als Schlüssel der Pentateuchkritik in diachroner und synchroner Lektüre,” in *Die Tora: Studien zum Pentateuch; Gesammelte Schriften*, BZABR 9 (Wiesbaden: Harassowitz, 2009), 284–420.

In light of this situation of the scholarly debate, we must therefore begin anew with the question of the literary integration of Deuteronomy in its contexts. To this end, the following observations may serve as starting points:

1. In its current form, Deuteronomy is part of a larger, continuous narrative context that reaches from Genesis–2 Kings.¹⁴
2. This narrative context has undoubtedly evolved literarily.
3. The reconstruction of this development is disputed, a status also applicable to what have been until now established fundamental conclusions. Contrary to the classic approach, Deuteronomy–2 Kings cannot from the outset be detached from Genesis–Numbers, nor can a sixth-century Deuteronomistic History in Deuteronomy–2 Kings be assumed matter-of-factly.¹⁵
4. There are linguistic Deuteronomisms in Genesis–2 Kings as a whole,¹⁶ though they may not be conceptual Deuteronomisms. Therefore, interpreters must carefully distinguish between them according to both their core concepts and literary horizons. Historically, they can date anywhere between the Assyrian period and the close of the canon; texts as late as Dan 9, the apocry-

14. For overarching structures, see Schmid, *Erzväter*, 19–26 = *Genesis and the Moses Story*, 17–23; Schmid, “Was There Ever a Primary History?,” ch. 1 in this volume. On Genesis–2 Kings as a large-scale historical work, see also Veijola, “Deuteronomismusforschung,” 30.

15. See Schmid, *Erzväter*, 367 = *Genesis and the Moses Story*, 342. Alternatively, Jochen Nentel, *Trägerschaft und Intentionen des deuteronomistischen Geschichtswerks: Untersuchungen zu den Reflexionsreden Jos 1; 23; 24; 1 Sam 12 und 1 Kön 8*, BZAW 297 (Berlin: de Gruyter, 2000), 4–5. Useful discussions of the current state of research are provided by Christian Frevel, “Deuteronomistisches Geschichtswerk oder Geschichtswerke? Die These Martin Noths zwischen Tetrateuch, Hexateuch und Enneateuch,” in *Martin Noth—aus der Sicht der heutigen Forschung*, ed. Udo Rüterswörden, BThSt 58 (Neukirchen-Vluyn: Neukirchener Verlag, 2004), 60–95; Thomas Römer, *The So-Called Deuteronomistic History: A Sociological, Historical and Literary Introduction* (New York: T&T Clark, 2005); Gertz et al., *Die deuteronomistischen Geschichtswerke*; Stipp, *Das deuteronomistische Geschichtswerk*.

16. See Moshe Weinfield, *Deuteronomy and the Deuteronomic School* (Oxford: Clarendon, 1972), 320–65, whose glossary is widely accepted (see, e.g., Raymond F. Person Jr., *The Deuteronomic School: History, Social Setting and Literature*, SBLStBL 2 [Atlanta: Society of Biblical Literature, 2002], 19 n. 5).

phal book of Baruch and 4 Ezra can still employ Deuteronomistic idiom.¹⁷

5. The literary core of Deuteronomy, presumably found in Deut 6–28*, seems to have been written for its own sake, although with knowledge of other texts. Despite the proposal of Reinhard Kratz,¹⁸ it is hardly explainable in its context as a continuation (“Fortschreibung”).

How, then, can we understand the integration of Deuteronomy into its wider contexts? In the following discussion I will respond briefly to this question, covering a few basic observations within the limited scope of this study.

2.2. The Context Preceding Deuteronomy

In the narrative sequence of Genesis–Deuteronomy, it is clear that Deuteronomy is fashioned as the farewell speech of Moses on the final day of his life (Deut 31:2; 34:48; 34:7). In the speech, Moses conveys to the people of Israel the laws that they must observe in the land to which he is bringing them. From a reception standpoint, it is crucial that the legal material that Moses imparts in Deuteronomy apparently corresponds to what he

17. Still standard for the long-term tradition history of Deuteronomism is Odil H. Steck's, *Israel und das gewaltsame Geschick der Propheten: Untersuchungen zur Überlieferung des deuteronomistischen Geschichtsbildes im Alten Testament, Spätjudentum und Urchristentum*, WMANT 23 (Neukirchen-Vluyn: Neukirchener Verlag, 1967); Römer, *So-Called Deuteronomistic History*, 165–83; see also Konrad Schmid, “The Deuteronomistic Image of History as Interpretive Device in the Second Temple Period: Towards a Long Term Interpretation of ‘Deuteronomism,’” in *Congress Volume Helsinki 2010*, ed. Martti Nissinen, VTSup 148 (Leiden: Brill, 2012), 369–88. Subsequent to it was Weinfeld (Deuteronomistic School), who was not in conversation with Steck's work and who sought to prove that the Deuteronomic School was still active in the Persian period—a position that, while certainly not false, is neither a new nor a sufficient conclusion. On the English-speaking context of the Deuteronomism discussion, see Veijola, “Deuteronomismforschung,” 28–31.

18. See Kratz, “Der literarische Ort,” 120; Kratz, *Die Komposition*, 128–29 = *Composition*, 123–26. The basic argument here is that, on the one hand, the centralization formula “to the place that I will choose” cannot be separated from Ur-Deuteronomy and, on the other hand, the formula's future wording already presupposes the occupation of the land. This conflicts with the literary and conceptual unity of the Deuteronomic law and its rather uneven integration into the narrative context.

previously received from God at the mountain in Exod 20, though he did not convey it until now. While there are some minor indications in Exod 20–23 that Moses communicates something to Israel—the “book of the covenant” (20:22–23:33; see Exod 24:7,¹⁹ promulgated in 24:3), the Sabbath commandment (Exod 31:12–17; promulgated in 35:1–3), and the instructions for constructing the tent of meeting (Exod 25–31; promulgated in 34:32, 34; 35:4–19)—the wider narrative context of Exodus–Numbers contains no unambiguous claim²⁰ that Moses actually complies with what God repeatedly instructs him to do: “Speak to the Israelites and say to them.”²¹ In the present narrative sequence of the Torah, Deuteronomy is the first portrayal of Moses definitively explaining the divine law. This impression arises not only from the textual arrangement but also on the support of specific textual evidence.

19. See already Julius Wellhausen, *Die Composition des Hexateuch und der historischen Bücher des Alten Testaments*, 3rd ed. (Berlin: Reimer, 1899), 194–95 n. 1.

20. Differently, Norbert Lohfink, “Prolegomena zu einer Rechtshermeneutik des Pentateuch,” in *Das Deuteronomium*, ed. Georg Braulik, ÖBS 23 (Frankfurt am Main: Lang, 2003), 37 with n. 111. Moses allegedly gave all instructions “stets weiter, obwohl das selten ausdrücklich gesagt wird.” Lohfink refers to Exod 34:34; Lev 26:46; Num 36:13 “und in deren Licht vielleicht auch schon Ex 25:22.” Lohfink discusses these passages based on the textual evidence of Num 30:1: “And Moses told the Israelites all that Yahweh had commanded him.” But this statement arguably applies only to the limited horizon of Num 28–29. For Exod 34:34, see above in the text. It is neither compelling nor natural to understand Lev 26:46 and Num 36:13 as suggesting that the mediation of the laws to Israel “by the hand of Moses” has already occurred. The concern is not the unfolding of the story itself; rather, the narrator is speaking in these verses. As colophons, one may appropriately regard Lev 26:46 and Num 36:13 as part of the most recent textual additions to the Pentateuch. Historically speaking then, they are essentially of importance for the final textual hermeneutic of the Pentateuch (which Lohfink decidedly favors). This problem of the announcement of the commands from Sinai is also relevant for the preceding layers of formation. At any rate, the fact that the overall pentateuchal context expects an execution of the command “Speak to the Israelites and say to them” ([דבר אל בני ישראל + ואמרת/לאמר אלהם]) may be seen in the short scenes of Num 16:23–26 and Num 17:16–22. The command in Num 16:24 corresponds to Moses’s action in 16:26 (דבר/וידבר). The same is true in Num 17:16–22. Here, the instructions for Moses (וידבר) at the beginning of 17:16 are reported as an executed command (דבר) in 17:21. On this issue, see also Jan Joosten, “Moïse a-t-il recélé le Code de Sainteté?,” *BN* 84 (1996): 75–86.

21. דבר אל בני ישראל (אלהם + לאמר/תאמר), etc. Lev 1:2; 4:2; 7:29; 11:2; 12:2; 15:2; [17:2, etc.] 18:2; 19:2; 20:2; 21:1; 23:2, 10, 24, 34; 24:2; 25:2; 27:2; Num 5:2, 12; 6:2; 15:2, 18, 38; 19:2; 28:2; 34:2; 35:2; see also Lev 6:2, 18; 22:2, 18; Num 6:23; 8:2.

First, the double tradition of the Decalogue from the Sinai and Transjordanian legislations is difficult to explain as something other than an attempt to identify each legislative corpus with the other in substance, as their respective authoritative summaries demonstrate. How the twofold embedding of the Decalogue has emerged diachronically is a well-known, controversial question, but this debate changes nothing about the function of the mutual identification of the Sinai and the Transjordanian legislations.²²

Second, the current Mosaic fiction of the Deuteronomic law is difficult to explain unless one views it in close connection with the divine law from Sinai. A Mosaic law as such is not a plausible construct in the context of ancient Near Eastern legal theories.²³ Instead, the Mosaic fiction of Deuteronomy, which is probably not primary,²⁴ becomes intelligible as part of

22. Based on the reasoning of the central Sabbath commandment in the Exodus Decalogue, which hearkens back to the beginning of the Torah in Gen 1, one wonders whether the Exodus Decalogue found its place in Exod 20 specifically as a result of the Torah's formation. For this theory, see Frank L. Hossfeld, *Der Dekalog*, OBO 45 (Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 1985), 161; and Eckart Otto, "Die nachpriesterschriftliche Pentateuchredaktion im Buch Exodus," in *Studies in the Book of Exodus: Redaction-Reception-Interpretation*, ed. Marc Ver-venne, BETL 126 (Leuven: Leuven University Press, 1996), 78. On this discussion, see also Matthias Köckert, "Wie kam das Gesetz an den Sinai?," in *Vergegenwärtigung des Alten Testaments: Festschrift für Rudolf Smend zum 70. Geburtstag*, ed. Christoph Bultmann, Walter Dietrich, and Christoph Levin (Göttingen: Vandenhoeck & Ruprecht, 2002), 13–27, who estimates that "Die Zitierung des Dekalogs in Dtn 5 setzt eine ältere Vorlage voraus, die schon mit dem Sinai verbunden war" (22); Köckert, *Die Zehn Gebote* (Munich: Beck, 2007), 38–44; and Erhard Blum, "The Decalogue and the Composition History of the Pentateuch," in *The Pentateuch: International Perspectives on Current Research*, ed. Thomas B. Dozeman, Konrad Schmid, and Baruch J. Schwartz, FAT 78 (Tübingen: Mohr Siebeck, 2011), 289–302.

23. See Otto, *Das Deuteronomium im Pentateuch*, 123: "Alles Recht ist in Babylonien wie im gesamten Alten Orient Königsrecht."

24. See Norbert Lohfink, "Das Deuteronomium: Jahwegesetz oder Mosegesetz?," *TP* 65 (1990): 387–91; repr., *Studien zum Deuteronomium und zur deuteronomistischen Literatur III*, SBAB 20 (Stuttgart: Katholisches Bibelwerk, 1995), 157–65; Eckart Otto, "Deuteronomium," *RGK* 2:695. Additionally, see the discussion in Eleonore Reuter, *Kultzentralisation: Entstehung und Theologie von Dtn 12*, BBB 87 (Frankfurt am Main: Hain, 1993), 213–26; Norbert Lohfink, "Kultzentralisation und Deuteronomium: Zu einem Buch von Eleonore Reuter," *ZAR* 1 (1995): 117–48; repr., *Studien zum Deuteronomium und zur deuteronomistischen Literatur IV*, SBAB 31 (Stuttgart: Katholisches Bibelwerk, 2000), 131–61; see also Simeon Chavel, "The Literary Development of Deuteronomy 12: Between Religious Ideal and Social Reality," in Dozeman,

a presentation that regards Deuteronomy already as an interpretive text (whether it be an explanation of the Decalogue alone or of the Sinai legislation likewise promoted through the Decalogue).

Third, Deuteronomy itself includes texts supportive of the theory that this final book of the Torah comprises the explanation of the revelatory law from Sinai.²⁵ Especially notable here is the caption of Deut 1:5: “Beyond the Jordan in the land of Moab, Moses began to clarify/expound this law” (באר).²⁶ But according to this statement in Deut 1:5, Deuteronomy is already established as law—that is, as an explanation of the Sinai legislation. Deuteronomy 4 explicates the claim even more clearly, particularly in the opening verses (4:1–5).

Fourth and finally, 1Q22 (“Dibre Moshe”)²⁷ is noteworthy in this discussion. Through the location of Moses’s speech after Deut 1:3,²⁸ as well as through the mandate for Moses to “command” (הוצייתָה) the “sons of Israel” ([א]ת בני ישראל[ל]) “the words of the Torah that I commanded you on Mount Sinai” ([ד]ברי הת[ו]רה אשר צוית[י] אותכה[ה] בהר ס[י]ני), this Qumran text articulates this relationship between the Sinai and the Transjordanian legislations. This example illustrates that later receptions as well could accent the relationship of the Sinai legislation and Deuteronomy as divine law and its Mosaic explanation.

Schmid, and Schwartz, *Pentateuch*, 303–26; Peter Altmann, *Festive Meals in Ancient Israel: Deuteronomy’s Identity Politics in Their Ancient Near Eastern Context*, BZAW 424 (Berlin: de Gruyter, 2011), 72–132.

25. Otto, *Das Deuteronomium im Pentateuch*, 173–74.

26. The lexeme באר is indeed semantically difficult to determine, since it only appears elsewhere in Deut 27:8 and Hab 2:2, each time in conjunction with כתב (see HALOT 1:106). But the interpretation of HALOT remains plausible: “to make clear/explain.” Lohfink (“Prolegomena,” 30–31 and n. 30; see already for Hab 2:2 David Tsu-mura, “Hab 2:2 in the Light of Akkadian Legal Practice,” ZAW 94 [1982]: 294–95) proposes באר from bâru III D (see AHW s.v.), understood here as “eine Sache in Geltung setzen, einer Sache Rechtskraft verleihen.” A critical evaluation is provided by Eckart Otto, “Mose, der erste Schriftgelehrte: Deuteronomium 1,5 in der Fabel des Pentateuch,” in *Lecrit et l’esprit: Études d’histoire du texte et de théologie biblique en hommage à Adrian Schenker*, ed. Daniel Böhler, Innocent Himbaza, and Philippe Hugo, OBO 214 (Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 2005), 273–84 = *Die Tora*, 480–89, who opts for the same meaning as HALOT (“explain”).

27. Dominique Barthélemy and Józef T. Milik, *Qumran Cave 1*, DJD I (Oxford: Clarendon, 1955), 91–96.

28. The date ארבעים is added in 1Q22 I, 1 but can be deduced reliably from II, 6.

Read in conjunction with Genesis–Numbers, Deuteronomy should therefore be understood as the Mosaic interpretation of the divine law of Sinai whose correspondent trajectory is secured by the two Decalogues. One could even venture to say that the current narrative sequence of events coincides with the actual conditions behind the formation of Deuteronomy, the design of which reformulates the “book of the covenant” under the guiding principle of cult centralization.²⁹ The theory that Deuteronomy is secondarily, not originally, an explanation of the Sinai legislation does not require special confirmation: Deuteronomy is too unwieldy for its Sinai template to qualify as a text of linear continuation in its pentateuchal context. Furthermore, one would then expect Deuteronomy to be structured according to the Decalogue, which is only the case at a secondary redactional level of the book.³⁰

Chronologically locating this view of Deuteronomy is certainly a more difficult task.³¹ It may be that Deuteronomy was first brought into an

29. See William S. Morrow, *Scribing the Center: Organization and Redaction in Deuteronomy 14:1–17:13*, SBLMS 49 (Atlanta: Scholars Press, 1995); Bernhard M. Levinson, *Deuteronomy and the Hermeneutics of Legal Innovation* (New York: Oxford University Press, 1997); Eckart Otto, *Das Deuteronomium: Politische Theologie und Rechtsreform in Juda und Assyrien*, BZAW 284 (Berlin: de Gruyter, 1999); Otto, *Gottes Recht als Menschenrecht: Rechts- und literaturhistorische Studien zum Deuteronomium*, BZABR 2 (Wiesbaden: Harassowitz, 2001). There is a new debate on whether this principle of cult centralization still belongs to the late monarchic period, as the majority of scholars think, or whether it is an exilic concept, see Ronald E. Clements, “The Deuteronomical Law of Centralisation and the Catastrophe of 587 B.C.,” in *After the Exile: Essays in Honour of Rex Mason*, ed. John Barton and David Reimer (Macon, GA: Mercer University Press, 1996), 5–25 (earlier authors, 7 n. 4); Kratz, *Die Komposition*, 137 = *Composition*, 132; Kratz, “The Idea of Cultic Centralization and Its Supposed Ancient Near Eastern Analogies,” in *One God–One Cult–One Nation: Archaeological and Biblical Perspectives*, ed. Reinhard G. Kratz and Hermann Spieckermann, BZAW 405 (Berlin: de Gruyter, 2010), 121–44; Juha Pakkala, “The Date of the Oldest Edition of Deuteronomy,” ZAW 121 (2009): 388–401. Critical responses are provided by Nathan MacDonald, “Issues in the Dating of Deuteronomy: A Response to Juha Pakkala,” ZAW 122 (2010): 431–35; Erhard Blum, “Das exilische deuteronomistische Geschichtswerk,” in Stipp, *Das deuteronomistische Geschichtswerk*, 274–76.

30. See Otto, *Das Deuteronomium im Pentateuch*, 115 (DtrD) who provides a nuanced reception of Georg Braulik, “Die Abfolge der Gesetze in Deuteronomium 12–26 und der Dekalog,” in *Das Deuteronomium: Entstehung, Gestalt und Botschaft*, ed. Norbert Lohfink, BETL 68 (Leuven: Peeters, 1985), 252–72 = *Studien zur Theologie des Deuteronomiums*, SBAB 2 (Stuttgart: Katholisches Bibelwerk, 1988), 231–55.

31. See above, n. 23.

interpretive relationship with the Decalogue in Deut 5 and only at a later stage was considered also to be an explanation (because of the corresponding Exodus Decalogue) of the Sinai legislation. But alternatively, if one identifies the insertion of the Deuteronomy Decalogue as secondary, then Deuteronomy in its embedded context would immediately be considered as the explanation of the Sinai legislation. The question must remain open. What remains conspicuous for the present is the Decalogically conceived connection of Deuteronomy to its preceding context.

2.3. The Subsequent Context of Deuteronomy

How is Deuteronomy interlinked with the books following it?³² Here as well, space restrictions only permit some basic comments with multiple issues remaining untreated. Unlike other important studies, the following discussion emphasizes not linguistic but conceptual questions, not as an alternative but as a supplement to existing approaches. We may proceed from the observation that the Former Prophets (Joshua–2 Kings) in their narrative context may be described as a great proclamation of judgment:³³ they propose reasons for the national catastrophes of both the Northern and the Southern Kingdom’s collapse.

The current version of the Former Prophets portrays the history of Israel in its land as a story of accumulating transgressions. The Northern Kingdom did not depart from the transgressions of Jeroboam, the Southern Kingdom did not abolish their numerous high places. With the transgressions of Manasseh, the situation grew so grave that not even the pious Josiah could prevent the impending disaster. So Yahweh rejected both Israel and Judah.

This sketch briefly outlines the admittedly very complex logic of Joshua–2 Kings. Upon even closer inspection, one is compelled to make a conceptual distinction that itself calls for further differentiation: (1) What

32. See further the selective and rather uncertain literary-historical classifications of Ansgar Moenikes, “Beziehungssysteme zwischen dem Deuteronomium und den Büchern Josua bis Könige,” in Braulik, *Das Deuteronomium*, 69–85.

33. See Gerhard von Rad, *Theologie des Alten Testaments*, 2 vols. (Munich: Kaiser, 1957–1960), 1:355 = *Old Testament Theology*, trans. David Stalker, 2 vols. (New York: Harper, 1962–1965), 1:357–58; Steck, *Israel*, 138.

exactly is the offense of which the guilty parties are accused? and (2) Who in general is counted among those responsible for the national disasters?³⁴

2.3.1. What Is the Offense?

This question does not receive a consistent answer in Joshua–2 Kings. Three positions are distinguishable:

First, the royal assessments suggest that the problem of cult centralization originally stood firmly in the foreground.³⁵ The standard criteria for assessment include the Northern Kingdom's persistence in the transgression of Jeroboam³⁶ and the Southern Kingdom's multitude of cultic sites.³⁷

34. For a critical discussion of my proposal (referring to the German original of this text, see introductory note) see Blum, "Das exilische deuteronomistische Geschichtswerk," esp. 273–83. He maintains the classical position of Noth and rejects the nuances proposed here: "(1) Weder die Forderung der Kulteinheit und der 'Kultreinheit' noch die Anklage des Volkes neben dem der betreffenden Könige lassen sich literargeschichtlich voneinander scheiden, ohne das literarische Gefüge aufzulösen. (2) Dem korrespondiert, dass sowohl Kulteinheit und 'Kultreinheit' als auch die Verantwortung von König und Gottesvolk jeweils einen unauflöslichen Sachzusammenhang bilden. Sie lassen sich konzeptionell 'unterscheiden', aber sachlich und kompositionell nicht 'scheiden'. (3) Die dtr Königsbeurteilungen geben eine hochgradige Orientierung an vorgegebenen Überlieferungen zu erkennen: Wo der dtr Verfasser/Kompositor in den Vorlagen Anhaltspunkte für eine Profilierung im Sinne seiner Programmatik findet, zögert er nicht, diese Anhaltspunkte auszugestalten und deuteronomistisch zu deuten. Er kann auch Reflexionsstücke usw. einbauen; an keiner Stelle sind jedoch freie Transformationen älterer Überlieferung nachweisbar." Yet, it is striking that Exod 32 is democratizing "Jeroboam's sin" from 1 Kgs 12, so that at least in this respect, two clearly separable perspectives (people/king) can be distinguished. As for the alleged unity of "Kulteinheit" and "Kultreinheit," an evaluation depends on how much literary critical distinction one allows regarding the texts in question. In addition, it is comprehensible that the gauge of cult centralization implies a certain *implicit* amount of "Kultreinheit," but this does not amount to an equivalent of the first commandment of the Decalogue.

35. See Erik Aurelius, "Der Ursprung des Ersten Gebots," *ZTK* 100 (2003): 4.

36. See 1 Kgs 12:25–30 (Jeroboam I); 15:25–26 (Nadab); 15:33–34 (Baasha); 16:18–19 (Zimri); 16:25–26 (Omri); 16:*29–33 (Ahab); 22:52–53 (Ahaziah); 2 Kgs 3:1–3 (Jehoram); 10:29 (Jehu); 13:1–2 (Jehoahaz); 13:10–11 (Jehoash); 14:23–24 (Jeroboam II); 15:8–9 (Zechariah); 15:17–18 (Menahem); 15:23–24 (Pekahiah); 15:27–28 (Pekah); 17:1–2 (Hoshea).

37. 1 Kgs 3:2–3 (Solomon); 14:22 (LXX: Rehoboam; MT: Judah); 15:1–3 (Abijam); 15:*11–15 (Asa); 22:41–45 (Jehoshaphat); 2 Kgs 8:16–19 (Jehoram);

In keeping with Wellhausen³⁸ and a broad line of research in the wake of Frank Moore Cross,³⁹ but over against classic twentieth-century German-speaking Deuteronomism research, it is worth noting that the (multilayered)⁴⁰ royal assessments probably originated in a preexilic version of (*Samuel?–)Kings—especially in view of their matter-of-fact organization around the problem of cult centralization. That is, they originally did not function to explain the catastrophe of 587 BCE but rather to explain the necessity of the Josianic reform based on the negative evaluations of all northern (and some southern) kings and based on the destruction of the Northern Kingdom.⁴¹ In addition to the conspicuous

8:25–27 (Ahaziah); 12:1–4 (Jehoash); 14:1–4 (Amaziah); 15:1–4 (Azariah); 15:32–35 (Jotham); 16:1–4 (Ahaz); 18:*2–7 (Hezekiah); 21:1f. (Manasseh); 21:*19–22 (Amon); 22:1–2 (Josiah); 23:31–32 (Jehoahaz); 23:36–37 (Jehoiakim); 24:8–9 (Jehoiachin); 24:17–20 (Zedekiah).

38. Wellhausen states, “dass die eigentliche Abfassung des Buches Könige noch vor dem Exil statt gefunden hat und nur nachträglich noch eine exilische oder (wenn nicht und) nachexilische Überarbeitung hinzugekommen ist” (*Die Composition*, 298). The more relevant culmination point of the royal assessments is the account in 2 Kgs 22–23: “Der Schriftsteller, der dies Skelett des Buchs der Könige gebildet hat, steht mit Leib und Seele zu der Reformation Josias” (295).

39. See Frank M. Cross, “The Themes of the Book of Kings and the Structure of the Deuteronomistic History,” in *Canaanite Myth and Hebrew Epic: Essays in the History of Religion of Israel* (Cambridge: Harvard University Press, 1973), 274–89; subsequently, Richard D. Nelson, *The Double Redaction of the Deuteronomistic History*, JSOTSup 18 (Sheffield: Sheffield Academic, 1981); Gary N. Knoppers, *Two Nations under God: The Deuteronomistic History of Solomon and the Dual Monarchies*, 2 vols., HSM 52–53 (Atlanta: Society of Biblical Literature, 1993–1994), 1:51–52; Erik Eynikel, *The Reform of Josiah and the Composition of the Deuteronomistic History*, OTS 33 (Leiden: Brill, 1996); Marvin A. Sweeney, *King Josiah of Judah: The Lost Messiah of Israel* (Oxford: Oxford University Press, 2001). For an extensive history of research, see Römer and de Pury, *Histoire de la recherche*, 47–50.

40. See further Helga Weippert, “Die ‘deuteronomistischen’ Beurteilungen der Könige von Israel und Juda und das Problem der Redaktion der Königsbücher,” *Bib* 53 (1972): 301–39; André Lemaire, “Vers l’histoire de la rédaction des livres des Rois,” *ZAW* 98 (1986): 221–36; Erik Aurelius, *Zukunft jenseits des Gerichts: Eine redaktions-geschichtliche Studie zum Enneateuch*, BZAW 319 (Berlin: de Gruyter, 2003), 21–70.

41. Differently, and consistent with the mainstream of German-speaking scholarship, see the detailed treatment of Aurelius (*Zukunft*, 39–57, 207–8) who supports the problematic exilic dating of the demand for cult centralization (40–41, 44). Against Aurelius (41 n. 77, there is the opposing view of Otto’s *Das Deuteronomium*, 72), the Deuteronomic attachment of Israel to Yahweh (instead of to the king, as one would expect with the Neo-Assyrian norm) is explainable not from the collapse of the mon-

“until this day” passages (e.g., 1 Kgs 8:8; 9:21; 10:12; 12:19; 2 Kgs 8:22) that seem to presuppose the situation of the monarchy,⁴² the following points support a preexilic setting: (1) the observation that a reflection on the downfall of Judah in the style of 2 Kgs 17 is absent in the book of Kings (in 2 Kgs 17, vv. 19–20 have been inserted);⁴³ and (2) the apparently secondary attempts in the Manasseh passages (2 Kgs 23:26; 24:3) theologically to annul the contribution of the Josianic reform,⁴⁴ as well as in the

archy but more likely from pan-Israelite interests. The oft-cited and not easily dismissible problem that 2 Kgs 23 contains no persuasive literary conclusion (on 2 Kgs 23:25–26, see Aurelius, *Zukunft*, 48–49) should not be granted too much weight. The supposition that literary beginnings and endings each should have survived word for word is, from a historical perspective, neither generally assumed nor securely demonstrated. On the discussion of the Josianic reform, see Martin Arneth, “Die antiassyrische Reform Josias von Juda: Überlegungen zur Komposition und Intention von 2 Reg 23:4–15,” *ZABR* 7 (2001): 189–216; W. Boyd Barrick, *The Kings and the Cemeteries: Toward a New Understanding of Josiah’s Reform*, VTSup 88 (Leiden: Brill, 2002); Oded Lipschits, *The Fall and Rise of Jerusalem: Judah under Babylonian Rule* (Winona Lake, IN: Eisenbrauns 2005), 11–29; Christoph Uehlinger, “Was There a Cult Reform under King Josiah? The Case for a Well-Grounded Minimum,” in *Good Kings and Bad Kings: The Kingdom of Judah in the Seventh Century BCE*, ed. Lester L. Grabbe, LHBOTS 393 (London: T&T Clark, 2007), 279–316; Michael Pietsch, “Steine–Bilder–Texte: Überlegungen zum Verhältnis von Archäologie und biblischer Exegese am Beispiel der josianischen Reform,” *VF* 53 (2008): 51–62.

42. See Wellhausen, *Die Composition*, 298; Ansgar Moenikes, “Zur Redaktionsgeschichte des sogenannten Deuteronomistischen Geschichtswerks,” *ZAW* 104 (1992): 335–36; Jeffrey C. Geoghegan, “‘Until This Day’ and the Preexilic Redaction of the Deuteronomistic History,” *JBL* 122 (2003): 201–27; Geoghegan, *The Time, Place, and Purpose of the Deuteronomistic History: The Evidence of ‘Until This Day,’* BJS 347 (Providence, RI: Brown University Press, 2006). The evidence is differently assessed by Felipe Blanco Wissmann, “*Er tat das Rechte...*: Beurteilungskriterien und Deuteronomismus in 1Kön 12–2Kön 25,” *ATANT* 93 (Zurich: TVZ, 2008), 242; Person, *Deuteronomic*, 113–16.

43. On 2 Kgs 24, see Konrad Schmid, “Manasse und der Untergang Judas: ‘Golaorientierte’ Theologie in den Königsbüchern?,” *Bib* 78 (1997): 87–99; alternatively, Christopher R. Seitz, *Theology in Conflict: Reactions to the Exile in the Book of Jeremiah*, BZAW 176 (Berlin: de Gruyter, 1989), 164–200.

44. On the question of a preexilic Deuteronomistic History, see the works in the wake of Cross’s “Themes,” which fostered the different approaches of Weippert, “Beurteilungen”; W. Boyd Barrick, “On the ‘Removal of the “High Places”’ in 1–2 Kings,” *Bib* 55 (1974): 257–59; Lemaire, “L’histoire”; Iain Provan, *Hezekiah and the Book of Kings*, BZAW 172 (Berlin: de Gruyter, 1988); Baruch Halpern and David S. Vanderhooft, “The Editions of Kings in the Seventh–Sixth Centuries B.C.E.,” *HUCA* 62 (1991): 179–244;

post-Josiah assessments’ (23:32, 37; also, 24:9, 19) sweeping condemnation of all kings after him.⁴⁵ After the destruction of Judah, this editorial activity—consistent with ancient Near Eastern royal ideology that holds the king accountable for the state’s well-being and trouble alike—rendered the royal assessments in their reception comprehensible as grounds for the catastrophe of 587 BCE.

Second, at the next level, the charge to have contravened the principle of a single cultic site expands into the charge of idolatry, connoting a violation of the first (and depending on one’s counting, the second) commandment.⁴⁶ Interesting at this point is the observation that the cult of the high places that previously qualified as permissible albeit improperly located (i.e., noncentralized) Yahweh worship—the Judean kings who “did what was right in Yahweh’s eyes” could receive positive assessment without abolishing the high places—now falls into the category of idolatry and is interpreted accordingly (see esp. 2 Kgs 17:9–12 and 1 Kgs 14:22–24).⁴⁷

Third and finally, one can observe a conceptual level for which the criterion for evaluations is “all that Moses the servant of Yahweh had commanded” (2 Kgs 18:22). This language points not to the violation of a primary commandment but rather to the violation of the Torah’s commandments in general.⁴⁸

This three-pronged conceptual schema seems *prima facie* to find parallels with the basic phases of Deuteronomy’s literary development.⁴⁹ Just as cult centralization originally stood in the foreground of Deuteronomy,

Moenikes, “Redaktionsgeschichte”; Römer, *So-Called Deuteronomistic History*, 67–103; Hermann-Josef Stipp, “Ende bei Joschija: Zur Frage nach dem ursprünglichen Ende der Königebücher bzw. des deuteronomistischen Geschichtswerks,” in Stipp *Das deuteronomistische Geschichtswerk*, 225–67, see also Veijola, “Deuteronomismusbeforschung.”

45. Contrary to recent denials, 2 Kgs 23:32, 37 can legitimately be interpreted as the closest correspondence. See further n. 62.

46. See Exod 20:2–6; 23:13, 23–24; Josh 23:6–7, 16; 1 Sam 7:3–4; 8:8; 12:10; 26:19; 1 Kgs 9:6, 8–9; 11:1–2, 9–10; 14:7–9; 16:30–33; 18:17–18; 21:25–26; 22:54; 2 Kgs 10:18; 17:15–35, 38–39; 21:2, 21; 22:17.

47. See Provan, *Hezekiah*, 60–90.

48. See Josh 1:7–8; 8:30–31; 22:5; 23:6–7; 1 Kgs 2:1–3; 6:11–13; 2 Kgs 10:31; 14:6; 18:6, 12; 21:7–8; 22:8, 10–11; 23:1–3, 25.

49. Taken together, the criteria of Rainer Albertz (*Israel in Exile: The History and Literature of the Sixth Century B.C.E.*, trans. David Green, Biblical Encyclopedia 7 [Atlanta: Society of Biblical Literature, 2003], 288) are too simple in terms of redaction history. See his position on the authorship of the Deuteronomistic History (279–80).

so also the kings were initially gauged according to this measure. Next, based on its connection with the Decalogue, Deut 5⁵⁰ promoted the first commandment as the criterion for assessment even in the narrative books. At a later time when the Torah was formed to include Deuteronomy, the Torah's observance as a whole became necessary.

However, from a redaction-historical perspective, Deuteronomy and the Former Prophets do not evince such a straightforward connection. A literary connection is unlikely between Ur-Deuteronomy, which is shaped by the centralization principle, and the older royal assessments, which generally predate the first commandment (or the even-later Torah). In the royal assessments, the principle of centralization is indeed the concern, but not for the present formulations. Kratz contends:

Instead of "any place" and "your gates" in Deuteronomy, Kings speaks of the "high places"; the Deuteronomic "place which YHWH has chosen to make his name dwell there" occurs only in secondary passages in the scheme of 1–2 Kgs (1 Kgs 14.21; 2 Kgs 21.4, 7; 23.27 [*sic*], also 1 Kgs 8; 9.3; 11.13, 32), and conversely the formula typical of Kings "do right/evil in the eyes of YHWH" occurs in Deuteronomy only in secondary passages (Deut. 6.18; 12.8, 25, 28; 13.19; 21.9).⁵¹

The framework of Kings does not explicitly endorse Deut 12 as its criterion for assessment. More precisely, with the southern kings the criterion is usually the conduct of the predecessor—and/or a comparison with David (1 Kgs 3:3; 15:3; 2 Kgs 14:3; 16:2; 22:2).⁵² With the northern kings, it is usually persistence in the way of Jeroboam I. Cult centralization is of course the issue, but merely identifying this issue leaves a great deal

50. See further Otto, *Das Deuteronomium im Pentateuch*, 111–29.

51. Kratz, *Composition*, 163 = *Die Komposition*, 166: "Statt von 'jedem Ort' und 'deinen Toren' in Dtn ist in Reg von den 'Höhen' die Rede, der deuteronomische 'Ort' den Jhwh erwählt hat, um seinen Namen dort wohnen zu lassen' kommt nur an sekundären Stellen im Schema von I–II Reg (I Reg 14,21; II Reg 21,4,7; 23,27, ferner I Reg 8; 9,3; 11,13.32), umgekehrt die für Reg typische Formel, das Rechte/Böse tun in den Augen Jhwh's nur an sekundären Stellen im Deuteronomium vor (Dtn 6,18; 12,8.25.28; 13,19; 21,9)"; see also Gary N. Knoppers, "Solomon's Fall and Deuteronomy," in *The Age of Solomon: Scholarship at the Turn of the Millennium*, ed. Lowell K. Handy, SHANE 11 (Leiden: Brill, 1997), 392–410, esp. 402–3, and the comprehensive discussion in Blanco Wissmann, "Er tat das Rechte ...," 31–173.

52. Of the southern kings, only Joram and Ahaziah receive negative assessments (2 Kgs 8:18, 27), since they were related to and conducted themselves like Ahab.

unresolved. Moreover, the criterion of Deut 12 plays no role in the reflective Deuteronomistic passages in Joshua and Judges, signifying the lack of redactional cohesion between Deuteronomy and Kings. The implication is that the oldest assessments of the kings might not have known a literary Deut 12, and certainly not Deut 12 as the introduction in one and the same literary work. One could therefore consider whether Deut 12 presupposes these royal assessments and systematizes them based on a “primary command” to be followed above all else.⁵³ The literary horizon of the oldest royal assessments apparently does not extend beyond Samuel–Kings,⁵⁴ which incidentally calls to mind Cross’s famous double theme of the Deuteronomistic History: the dynastic promise to David and the sin of Jeroboam, a motif likewise confining itself to Samuel–Kings (see 2 Sam 7 and 1 Kgs 12).⁵⁵

Only on the level of the first commandment do the formulations in the Former Prophets (now inclusive of Joshua and perhaps Judges) accord with those in Deuteronomy and point to a literary cross-linkage, though this linkage probably reaches back beyond Deuteronomy at least to Exodus. For, on the one hand, Deuteronomy offers a syntactic but nonetheless inadequate beginning point and, on the other hand (as shown above in §2.2), it exhibits a prominent Decalogical connection with the preceding narrative in Exodus–Numbers.

At the end of this development, there can finally be explicit reference to the “law of Moses” and related locutions (Josh 8:31–32; 23:6; 1 Kgs 2:3; 2 Kgs 14:6; 18:6; 21:8; 22:8–13; 23:25). At this point, we find the underlying standard to be the written law, probably referring to the Torah in its entirety.⁵⁶

53. This possibility is especially suggestive if—as considered above—the core of the royal assessments dates back to the monarchic period. The terminological incongruence between Deut 12 and the royal assessments is more plausibly explainable if we understand Deut 12 as a later judicial systematizing of the basic idea in a linguistically unique form, which avoids the assumption that the royal assessments had actually known the purpose of Deut 12 but had not accounted for its wording. Clements accepts a similar view of the purpose of Deut 12 and Deuteronomistic texts in *Samuel–Kings, with the preference of an exilic setting for Deut 12 (see “Deuteronomistic Law of Centralisation,” esp. 13–14).

54. See Aurelius, “Der Ursprung,” 3–4 and n. 6.

55. See Cross, “Themes.”

56. In the German-speaking context, these references to the law have often been attributed to DtrN (see Ernst Würthwein, *Die Bücher der Könige*, ATD 11, 2 vols.

2.3.2. Who in General Is Numbered among Those Responsible?

In the historical books, there are four major perspectives. First, blame for the catastrophe falls on the negatively assessed kings;⁵⁷ second, on all kings;⁵⁸ third, on the people;⁵⁹ and fourth, on Manasseh alone.⁶⁰

The first perspective emerges by and large from the royal assessments: the book of Kings mentions both positively and negatively assessed rulers, the latter of which seem to have been the decisive factor leading to judgment. The people certainly play a role here as well inasmuch as they are either tempted by the kings or cannot be swayed by them. But the people do not amount to a self-governing agent.

The second perspective is based on the assessments of the last four Judean kings in 2 Kgs 23:26–25:30. As Gottfried Vanoni has emphasized, the judgments presented here differ linguistically as well as functionally from the other royal assessments.⁶¹ Especially notable is the fact that the

[Göttingen: Vandenhoeck & Ruprecht, 1977–1984], 2:371, 410). But his preference is too narrow and is conceptualized within the limits of Noth's DtrH; see n. 18. Deuteronomistic texts cannot be limited to the time of the Babylonian exile, and, therefore, one must take into account secondary Deuteronomistic texts of the developing literary history of Deuteronomy in the Pentateuch itself. As a consequence, "law of Moses" is not necessarily just the text of Deuteronomy.

57. I.e., all the kings of the Northern and Southern Kingdoms alike, with the exception of Hezekiah (2 Kgs 18:2–7) and Josiah (2 Kgs 22:1–2) and, to a certain extent, Asa (1 Kgs 15:11–15), Joash (2 Kgs 12:1–4), Azariah (2 Kgs 15:1–4), and Jotham (2 Kgs 15:32–35).

58. 2 Kgs 23:31–32; 23:36–37; 24:8–9; 24:17–20; see further n. 62.

59. 1 Kgs 9:6–9; 2 Kgs 17:7–20.

60. 2 Kgs 23:26; 24:3; cf. 2 Kgs 21:1–18.

61. Gottfried Vanoni, "Beobachtungen zur deuteronomistischen Terminologie in 2Kön 23,25–25,30," in *Das Deuteronomium: Entstehung, Gestalt und Botschaft*, ed. Norbert Lohfink, BETL 68 (Leuven: Peeters, 1985), 357–62. Making reference to Thomas Römer (*Israels Väter: Untersuchungen zur Väterthematik im Deuteronomium und in der deuteronomistischen Literatur*, OBO 99 [Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 1990], 284) Aurelius (*Zukunft*, 45–47) contends that the last four assessments distance themselves from the preceding ones and that 2 Kgs 23:32, 37 should be understood as generalizations. But among the texts in question, only one is formulated precisely according to 2 Kgs 23:32, 37 with "fathers" in the plural: namely, 2 Kgs 15:9. It is here that this formulation makes particular sense, since Zechariah is the last visible representative of the Jehu dynasty (see Aurelius, *Zukunft*, 46). Accordingly, 2 Kgs 23:32, 37 takes as its central theme the Davidic dynasty as a whole. This probably also accounts for the divergent formulations with Jehoiachin

negative verdict precedes the refrain “just like his fathers had done” (23:32, 37; cf. 24:9, 19, “just like his father/Jehoiakim had done”). Thus, a sweeping judgment categorically targets the kings, assigning, at least implicitly, a negative verdict to them all.

The third perspective, which holds the entire people accountable, is prepared within the historical books by Exod 32, the (“exilic, at the earliest”)⁶² narrative of the golden calf that transfers the sin of Jeroboam not only to Aaron as an instigator but also to the people as wholly complicit.⁶³ This perspective also turns up in redactional interpretive passages in Joshua and Judges and eventually receives attention again in 1 Kgs 9:6–9 and 2 Kgs 17:7–20 where, prior to the older perspective in 2 Kgs 17:21–23 that attributes the Northern Kingdom’s demise to Jeroboam’s sin, the blame falls on Israel as a people. Additionally, in the context of Rehoboam’s rise to power in 1 Kgs 14:21–22, the description of Judah is relevant: “Now Rehoboam the son of Solomon became king over Judah. Rehoboam was forty-one years old when he became king and he reigned seventeen years in Jerusalem.... And Judah (LXX: Rehoboam⁶⁴) displeased Yahweh.” With Judah’s first king Rehoboam, it is not the king but rather the people that

(“his father,” 24:9) and Zedekiah (“Jehoiakim,” 24:19), who, following the commencement of Nebuchadnezzar’s domination, could no longer qualify as valid representatives of the Davidic dynasty (correspondingly in Jer 36:29–31, note the demolition of the Davidic dynasty in the fourth year of Jehoiakim and the simultaneous transfer of power to Nebuchadnezzar in Jer 25:1, 9 [“Nebuchadnezzar, my servant”]; see further Schmid, *Buchgestalten*, 226 and Jakob Wöhrle, “Die Rehabilitierung Jochachs: Zur Entstehung und Intention von 2 Kön 24,17–25,30,” in *Berührungspunkte: Studien zur Sozial- und Religionsgeschichte Israels und seiner Umwelt; Festschrift für Rainer Albertz zu seinem 65. Geburtstag*, ed. Ingo Kottsieper, Rüdiger Schmitt, and Jakob Wöhrle, AOAT 350 [Münster: Ugarit-Verlag, 2008], 213–38). See also Ludger Camp, *Hiskija und Hiskijabild: Analyse und Interpretation von 2Kön 18–20* (Altenberge: Telos, 1990), 17–21; Bernhard Lehnart, *Prophet und König in Nordreich Israel: Studien zur sogenannten vorklassischen Prophetie im Nordreich Israel anhand der Samuel-, Elija- und Elischaüberlieferungen*, VTSup 96 (Leiden: Brill, 2003), 10–11 n. 16, 20.

62. Jan C. Gertz, “Beobachtungen zur Komposition und Redaktion in Ex 32–34,” in *Gottes Volk am Sinai: Untersuchungen zu Ex 32–34 und Dtn 9–10*, ed. Erhard Blum and Matthias Köckert, VWGTh 18 (Gütersloh: Gütersloher Verlaghaus, 2001), 98.

63. See Gertz, “Beobachtungen,” 99.

64. See Martin Noth (*Könige, I*, BK 9.1 [Neukirchen-Vluyn: Neukirchener Verlag, 1968], 323): “Am wahrscheinlichsten hat hinter יָעִשׁ kein Subjekt gestanden; daher sind sekundär verschiedene Subjekte eingesetzt worden. G hat sachlich richtig ergänzt.”

undergo assessment, strategically clarifying at the beginning of the reading sequence that all Judah bears responsibility.

Finally, the fourth perspective that makes Manasseh alone responsible for the catastrophe is a special case. It concerns the passages, treated elsewhere,⁶⁵ that imply a gôlâh-oriented redaction in 2 Kgs 21–24 similar to what we see in Jeremiah and Ezekiel.⁶⁶ This editorial reworking of the book of Kings perceives the events of 587 BCE as the decisive judgment and explains them exclusively with the sins of Manasseh (2 Kgs 24:3–4), fitting in seamlessly with the needs of the first gôlâh: a self-characterization as undeserving of exile insofar as they are the deported “good figs” of Jer 24.

These four perspectives distinguishing between the alleged carriers of responsibility can now be tied back into the question of the underlying standard. It seems rather clear that the first two perspectives are essentially based on cult centralization, whereas the third perspective clearly presupposes the first commandment. The same holds true for the fourth perspective. Moreover, the assignment of blame to Manasseh, the scapegoat of gôlâh-oriented theology in Kings, demonstrates conspicuous intertextual connections to the Moab covenant in Deut 29.⁶⁷ In the judicial reasoning of 2 Kgs 24:4, the text says that Yahweh “did not want to forgive” Manasseh (לא אבה יהוה לסלח). Although the Mosaic fiction precludes any mention of Manasseh’s name, this formulation in Deut 29:19 constitutes a significant parallel and was probably written about Manasseh from the outset.⁶⁸

65. Schmid, “Manasse.”

66. See the seminal discussion in Karl-Friedrich Pohlmann, *Studien zum Jeremiah*, FRLANT 118 (Göttingen: Vandenhoeck & Ruprecht, 1978). Additionally, see Schmid, *Buchgestalten*, 253–69.

67. On Deut 29 in current research, see Otto, *Das Deuteronomium im Pentateuch*, 129–55; for this text at an earlier stage, see Norbert Lohfink, “Der Bundesschluss in Land Moab: Redaktionsgeschichtliches zu Dt 28,69–32,47,” *BZ* 6 (1962): 32–56; repr., *Studien zum Deuteronomium und zur deuteronomistischen Literatur II*, SBAB 12 (Stuttgart: Katholisches Bibelwerk, 1991), 87–106; also, Alexander Rofé, “The Covenant in the Land of Moab (Dt 28,69–30,20): Historico-literary, Comparative, and Form-critical Considerations,” in Lohfink, *Das Deuteronomium*, 310–20; Alfred Cholewinski, “Zur theologischen Deutung des Moabbundes,” *Bib* 66 (1985): 96–111.

68. Furthermore, notice that the lexeme מחה, “to wipe out” from Deut 29:19 is featured in Joshua-Kings with the notable exceptions of Judg 21:17 (Benjamin and Israel) and 2 Kgs 14:27 (the name of Israel), becoming prominent only again in the

For the Torah perspective of 2 Kgs 18:(5–)12 that evaluates Israel through the lens of the Mosaic law, Erik Aurelius has shown that the opening scene for this point of view is in Exod 19:3b–8,⁶⁹ which declares Israel a “priestly” people.⁷⁰ In the general context, there is an effort to incorporate all Israelites into the realm of priestly responsibility and to recognize Yahweh as the sole king over Israel. The Torah therefore holds everyone accountable as a member of a “kingdom of priests.”

2.4. Summary

What provisional conclusions and viewpoints can we now articulate?

(1) The connection between Deuteronomy and its preceding context is most evident from the double placement of the Decalogue in Exod 20 and Deut 5 as well as from Deut 1:5 + 4:1, 5–6: Deuteronomy is the Mosaic explanation of the Sinai legislation. The mutual identity of both the Sinai and Transjordanian legislations is secured by both Decalogues. The diachronic classification of their redacted contextual integration is currently contested and must remain open for the time being.⁷¹

(2) It appears that the oldest royal assessments use the centralization edict as a gauge but do not yet know a literary Deuteronomy. Instead, one might even suspect that Deuteronomy, with its demand for centralization, has been developed from the royal assessments.⁷² Literary connections to Deuteronomy are observable through the standard of the first commandment and, subsequently, through the Torah of Moses.

(3) The literary connections to Deuteronomy, before as well as after it, emerge through one and the same standard, namely, the Decalogue. This observation indicates that Deuteronomy, with its literary incorporation into the historical books, was from the outset adjusted Decalogically to the preceding and subsequent contexts. And above all, in contrast to the clas-

Manasseh passage 2 Kgs 21:10–15 (see note on 21:13) with three occurrences. Indeed, Manasseh's sins clearly presuppose the first commandment, but evidently Manasseh is depicted additionally as the one who breaks the Moab covenant of Deut 29.

69. See Aurelius, *Zukunft*, 95–110, 141–68; Adrian Schenker, “Drei Mosaiksteinchen: ‘Königreich von Priestern’, ‘Und ihre Kinder gehen weg’, ‘Wir tun und wir hören’ (Exodus 19,6; 21,22; 24,7),” in Vervenne, *Studies in the Book of Exodus*, 367–80.

70. For extensive discussion of the unique expression מַמְלֶכֶת כֹּהֲנִים, see Aurelius, *Zukunft*, 146–49.

71. See above n. 23.

72. See above n. 53.

sical theory of an independent Deuteronomy–2 Kings composition, the redactional integration of Deuteronomy into its literary setting probably from the outset provided a subsequent context for Exodus–Numbers (and later, Genesis–Numbers), since Deuteronomy does not offer a sufficient narrative introduction.⁷³

(4) Regarding the thesis of a Deuteronomistic History,⁷⁴ it is clear in view of these considerations that this expression is only correct in the plural.⁷⁵ There were various Deuteronomistic Histories in the Enneateuch. One can discern an initial Deuteronomistic History in 1 Samuel–2 Kings that was shaped not by Deut 12 but by the cult centralization in Jerusalem. Another Deuteronomistic History is perceptible in Exodus–Joshua + 1 Samuel–2 Kings and is shaped by the first commandment, deriving its theological thrust through the literary arcs of Exod 32 and 1 Kgs 12 as well as through the twofold theme of “exodus from Egypt” and “return to Egypt” in 2 Kgs 25:26 (“from Egypt to Egypt”).⁷⁶ Finally, a third and, to my mind, post-Priestly Deuteronomistic History is recognizable in Genesis–2 Kings,⁷⁷ which is already dominated by the notion of the Torah of Moses that it applies to the story. Genesis–2 Kings also coins the great literary inclusion stretching from Joseph in Egypt to King Jehoiachin at the table of the Babylonian king Amel-Marduk, thereby representing a diaspora theology for Israel.

(5) From a literary- and theological-historical angle, the following process is discernible for the functional and structural changes of Deuteron-

73. See above n. 14.

74. For the history of research, see Römer and de Pury, “Histoire de la recherche,” 9–120; Gary N. Knoppers, “Introduction,” in *Reconsidering Israel and Judah: Recent Studies on the Deuteronomistic History*, ed. Gary N. Knoppers and J. Gordon McConville, SBTS 8 (Winona Lake, IN: Eisenbrauns, 2000), 1–18; Knoppers, “Is There a Future for the Deuteronomistic History?,” in *The Future of the Deuteronomistic History*, ed. Thomas Römer, BETL 97 (Leuven: Peeters, 2000), 119–34; Walter Dietrich, “Deuteronomistisches Geschichtswerk.”

75. See the title formulations of Frevel, “Deuteronomistisches Geschichtswerk,” 60–95; Getz et al., *Die deuteronomistischen Geschichtswerke*.

76. See Richard E. Friedman, “From Egypt to Egypt: Dtr¹ and Dtr²,” in *Traditions and Transformation: Turning Points in Biblical Faiths*, ed. Baruch Halpern and Jon D. Levenson (Winona Lake, IN: Eisenbrauns, 1981), 167–92.

77. See Schmid, *Erzväter*, 253–55 = *Genesis and the Moses Story*, 236–37. “Post-Priestly” here means temporally *after the integration* of P into its narrative context, pointing to a stage later than the origin of P itself.

omy within Genesis–2 Kings. The (“mono-Yahwistic”)⁷⁸ Ur-Deuteronomy in Deut *6–28 may already presuppose the oldest Deuteronomistic History in Samuel–Kings and summarize its implicit criterion in Deut 12,⁷⁹ though still without a literary connection to Samuel–Kings. In the form of (at least) Deut *5–30,⁸⁰ Deuteronomy becomes part of a larger Deuteronomistic History (*Exodus–2 Kings)⁸¹ governed primarily by the Decalogue in Deut 5 (which is conceived in terms of monolatry, a mentality *presupposing, not denying* the existence of other deities!). Only at this point does

78. See still Peter Höffken, “Eine Bemerkung zum religionsgeschichtlichen Hintergrund von Dtn 6,4,” *BZ* 28 (1984): 88–93, which contrasts with Timo Veijola’s perspective on both Deut 6:4 and the first commandment of the Decalogue in “Das Bekenntnis Israel: Beobachtungen zur Geschichte und Theologie von Dtn 6,4–9,” *TZ* 48 (1992): 369–81; Veijola, “Höre Israel! Der Sinn und Hintergrund von Deuteronomium VI 4–9,” *VT* 42 (1992): 528–41. Although Veijola accepts a redaction-historical connection between these texts, he contends that this meaning is not the primary sense of Deut 6:4. But his case against a mono-Yahwistic understanding of Deut 6:4 is not convincing: The fact that cult centralization is nowhere substantiated explicitly on the grounds of “one Yahweh” is negligible in light of the theological compatibility between Deut 6:4 and a cult centralization that would otherwise lack appropriate conceptual underpinnings. The fact that mono-Yahwism does not undergo further redaction-historical transmission through Deut 6:4 should not be surprising after the first commandment preceding it in Deut 5. Aurelius (“Der Ursprung,” 5–7) rightly identifies the religious-political points of Deut 6:4 but strangely continues to uphold Veijola’s proposed translation using two nominal clauses, even though this translation neither highlights these points clearly nor follows the typically appositional usage of אלהנו in Deuteronomistic literature (a trait that Aurelius unnecessarily relativizes [see “Der Ursprung,” 5 n. 9]). Note the excellent observations of Juha Pakkala, *Intolerant Monolatry in the Deuteronomistic History*, SESJ 76 (Göttingen: Vandenhoeck & Ruprecht; Helsinki: Finnish Exegetical Society, 1999), 73–84.

79. See above n. 53.

80. See Schmid, *Erzväter*, 164–65 = *Genesis and the Moses Story*, 149–50.

81. For a beginning in Exod 2, see Schmid, *Erzväter*, 152–57 = *Genesis and the Moses Story*, 139–44. For the acceptance of an expansive Exodus–Deuteronomy (+ DtrG), which amounts to an overall *Exodus–2 Kings context, see Erhard Blum, “Die literarische Verbindung von Erzvätern und Exodus: Ein Gespräch mit neueren Endredaktionshypothesen,” in *Abschied vom Jahwisten: Die Komposition des Hexateuch in der jüngsten Diskussion*, ed. Jan C. Gertz, Konrad Schmid, and Markus Witte, BZAW 315 (Berlin: de Gruyter, 2002), 119–56; Blum, *Studien zur Komposition des Pentateuch*, BZAW 189 (Berlin: de Gruyter, 1990), 107–10; see also Kratz, *Die Komposition*, 331 (“Ex 2–2Reg 25”) = *Composition*, 326.

the Decalogue editorially mold the internal structure of Deuteronomy.⁸² Finally, Deut 4 reflects on the expansive context of Genesis–2 Kings. In the wake of the Priestly document⁸³ that Deut 4 presupposes and utilizes,⁸⁴ Deuteronomy becomes a strictly monotheistic standard. Thus, the current textual progression from Deut 4–6 mirrors in reverse historical order both the formation and theology of Deuteronomy in its contexts.⁸⁵

82. See Otto, *Das Deuteronomium im Pentateuch*, 115 (DtrD).

83. For P's basic monotheistic argumentation, especially its use of the indeterminate אֱלֹהִים as a proper name, see Albert de Pury, "Gottesname, Gottesbezeichnung und Gottesbegriff: *Elohim* als Indiz zur Entstehungsgeschichte des Pentateuch," in Gertz, Schmid, and Witte, *Abschied vom Jahwisten*, 25–27; Konrad Schmid, "Differenzierungen und Konzeptualisierungen der Einheit Gottes in der Religions- und Literaturgeschichte Israel: Methodische, religionsgeschichtliche und exegetische Aspekte zur neueren Diskussion um den sogenannten 'Monotheismus' im antiken Israel," in *Der eine Gott und die Götter: Polytheismus und Monotheismus im antiken Israel*, ed. Manfred Oeming and Konrad Schmid, ATANT 82 (Zurich: TVZ, 2003), 11–38, esp. 28–38.

84. See Eckart Otto, "Deuteronomium 4: Die Pentateuchredaktion im Deuteronomiumsrahmen," in Veijola, *Das Deuteronomium und seine Querbeziehungen*, 196–222; Otto, *Das Deuteronomium im Pentateuch*, 168–69.

85. In order to fit the theological profile of Deuteronomy's respective contexts, the orientations of the narrative beginnings define the reading perspectives for the following: Genesis–2 Kings begins in Gen 1 (which Deut 4 knows) with a universalist-monotheistic argument; *Exodus–2 Kings starts in Exod *2–4 with a particularist-monotheistic perspective; and in accordance with Deut 6:4, the prelude of Deut *6–28 is conceptualized in terms of mono-Yahwism.

Part 2
History of Scholarship

Has European Scholarship Abandoned the Documentary Hypothesis? Some Reminders on Its History and Remarks on Its Current Status

The most striking difference commonly assumed between the three different academic cultures in North America, Europe, and Israel with respect to pentateuchal research is Europe's more critical stance toward the Documentary Hypothesis.

This may be true in very general terms. However, it is doubtful whether it is correct to describe the difference as follows: European scholarship has completely abandoned the Documentary Hypothesis, while American and Israeli scholars still adhere to it. Even more mistaken is the statement that Europeans do not recognize any source documents underlying the Pentateuch and that their approach is not documentarian but fragmentarian.

The goal of this paper is to show that treating the Documentary Hypothesis and the Fragmentary or Supplementary Hypothesis as exclusive alternatives is a shortcoming both in terms of methodology and history of research. This might seem to be more or less obvious, but there is apparently some need of clarification in the light of newer contributions like Joel Baden's monograph.¹ He characterizes the current situation with stark warfare terminology: Rolf Rendtorff and his students, and the students of his students, have launched an "assault" on the "Documentary Hypothesis" (1), they "hurled [challenges] (4) against it" and came to the conclusion "that the classical theory 'can no longer be maintained'" (1). In response, there were only "few who have taken up arms in defense of the classical approach" over against "the anti-documentary uproar" (1-2). Is there really a war going on between documentarians and anti-docu-

1. Joel S. Baden, *J, E, and the Redaction of the Pentateuch*, FAT 68 (Tübingen: Mohr Siebeck, 2009).

mentarians? I understand the situation somewhat differently. The newer contributions to pentateuchal research from Europe do not aim at overthrowing the Documentary Hypothesis from the outset. Rather, they strive to understand the composition of the Pentateuch in the most appropriate terms, which—this needs to be stressed from the beginning—includes documentary elements as well.

3.1. The Case of P

The most obvious element in current European scholarship showing that European scholarship has not completely given up the documentarian approach is P.² Of course, there were, after an initial proposal by Karl Heinrich Graf,³ especially in the 1920s and 1930s⁴ and again in the 1970s,⁵ some attempts within European and American scholarship to define P as a redactional layer rather than as a stand-alone document. However, in the current European discussion nearly everyone considers P a source document.⁶ One major exception is Erhard Blum's compromise, which sees P

2. See the overview in Eckart Otto, "Forschungen zur Priesterschrift," *TRu* 62 (1997): 1–50.

3. Karl Heinrich Graf, "Die s.g. Grundschrift des Pentateuchs," *Archiv für wissenschaftliche Erforschung des Alten Testaments* 1 (1867–1869): 466–77.

4. Max Löhr, *Untersuchungen zum Hexateuchproblem I: Der Priesterkodex in der Genesis*, BZAW 38 (Giessen: Töpelmann, 1924); Richard H. Pfeiffer, "A Non-Israelitic Source of the Book of Genesis," *ZAW* 48 (1930): 66–73; Paul Volz and Wilhelm Rudolph, *Der Elohist als Erzähler: Ein Irrweg der Pentateuchkritik? An der Genesis erläutert*, BZAW 63 (Giessen: Töpelmann, 1933), 139.

5. Frank M. Cross, "The Priestly Work," in *Canaanite Myth and Hebrew Epic: Essays in the History of the Religion of Israel* (Cambridge: Harvard University Press, 1973), 293–325; John Van Seters, *Abraham in History and Tradition* (New Haven: Yale University Press, 1975); Rolf Rendtorff, *Das überlieferungsgeschichtliche Problem des Pentateuch*, BZAW 147 (Berlin: de Gruyter, 1977).

6. See, e.g., Norbert Lohfink, "Die Priesterschrift und die Geschichte," in *Studien zum Pentateuch*, SBAB 4 (Stuttgart: Katholisches Bibelwerk, 1988), 223–24 (see the argumentation on 224–25 n. 31); repr., from *Congress Volume Göttingen 1977*, ed. John A. Emerton, VTSup 29 (Leiden: Brill, 1978); Werner H. Schmidt, *Exodus 1,1–6,30*, BKAT 2.1 (Neukirchen-Vluyn: Neukirchener Verlag, 1988), 272–73; Walter Gross, "Bundeszeichen und Bundesschluss in der Priesterschrift," *TTZ* 87 (1987): 100 n. 12; Gross, "Die Wolkensäule und die Feuersäule in Ex 13 + 14: Literarkritische, redaktionsgeschichtliche und quellenkritische Erwägungen," in *Biblische Theologie und gesellschaftlicher Wandel*, ed. Georg Braulik, Walter Gross, and Sean McEvenue (Freiburg

neither as a source nor as a redaction.⁷ However, Blum's notion of "neither ... nor" really implies an "as well as." He describes his position regarding P as follows: "the compositional elements were not immediately added to the main text, but were drafted 'on their own' (albeit knowing the tradition which was to be reworked)."⁸ So it is even possible to include Blum in

im Breisgau: Herder, 1993), 142–65; Erich Zenger, *Gottes Bogen in den Wolken: Untersuchungen zu Komposition und Theologie der priesterschriftlichen Urgeschichte*, SBS 112 (Stuttgart: Katholisches Bibelwerk, 1983), 32–36; Zenger, "Priesterschrift," *TRE* 27:435–46; Peter Weimar, "Struktur und Komposition der priesterschriftlichen Geschichtsdarstellung," *BN* 23 (1984): 84, 88; Bernd Janowski, *Sühne als Heilsgeschehen: Studien zur Sühnetheologie der Priesterschrift und zur Wurzel KPR im Alten Orient und im Alten Testament*, WMANT 55 (Neukirchen-Vluyn: Neukirchener Verlag, 1982), 8–9 n. 51; Klaus Koch, "P—kein Redaktor! Erinnerung an zwei Eckdaten der Quellenscheidung," *VT* 37 (1987): 446–67; Odil H. Steck, "Aufbauprobleme in der Priesterschrift," in *Ernten, was man sät: Festschrift für Klaus Koch zu seinem 65. Geburtstag*, ed. Dwight R. Daniels, Uwe Glessmer, and Martin Rösel (Neukirchen-Vluyn: Neukirchener Verlag, 1991), 287; John Adney Emerton, "The Priestly Writer in Genesis," *JTS* 39 (1988): 396–98; Christian Streibert, *Schöpfung bei Deuteronomasaja und in der Priesterschrift: Eine vergleichende Untersuchung zu Inhalt und Funktion schöpfungstheologischer Aussagen in exilisch-nachexilischer Zeit*, BEATAJ 8 (Frankfurt am Main: Lang, 1993), 46–47; Ludwig Schmidt, *Studien zur Priesterschrift*, BZAW 214 (Berlin: de Gruyter, 1993), 4–10, 34, and other passages; Thomas Pola, *Die ursprüngliche Priesterschrift: Beobachtungen zur Literarkritik und Traditionsgeschichte von Pg*, WMANT 70 (Neukirchen-Vluyn: Neukirchener Verlag, 1995), 29–31; Eckart Otto, "Die nachpriesterschriftliche Pentateuchredaktion im Buch Exodus," in *Studies in the Book of Exodus: Redaction-Reception-Interpretation*, ed. Marc Vervenne, BETL 126 (Leuven: Leuven University Press, 1996), 66 n. 23; Otto, "Forschungen zur Priesterschrift," 36; Thomas Krüger, "Erwägungen zur Redaktion der Meerwundererzählung (Exodus 13,17–14,31)," *ZAW* 108 (1996): 519–33; Konrad Schmid, *Erzväter und Exodus: Untersuchungen zur doppelten Begründung der Ursprünge Israels in den Geschichtsbüchern des Alten Testaments*, WMANT 81 (Neukirchen-Vluyn: Neukirchener Verlag, 1999), 53–54; Christian Frevel, *Mit Blick auf das Land die Schöpfung erinnern: Zum Ende der Priestergrundschrift*, HBS 23 (Freiburg im Breisgau: Herder, 2000).

7. Erhard Blum, *Studien zur Komposition des Pentateuch*, BZAW 189 (Berlin: de Gruyter, 1990), 249; see also Blum, *Die Komposition der Vätergeschichte*, WMANT 57 (Neukirchen-Vluyn: Neukirchener Verlag, 1984), 425–26. Another suggestion can be found in Jan C. Gertz, *Tradition und Redaktion in der Exoduserzählung: Untersuchungen zur Endredaktion des Pentateuch*, FRLANT 186 (Göttingen: Vandenhoeck & Ruprecht, 2000), 391: "'P' might be explained as a redactional layer within Genesis 12–50, but as a source in Genesis 1–11 and in Exodus." Unless otherwise noted, all translations are mine.

8. Gertz, *Tradition und Redaktion*, 241–42.

the group of European scholars that considers P a formerly independent source text, that is, a document.

Regarding P, European scholars would generally agree on what Axel Graupner, one of the few German-speaking defenders of E, mistakenly points out as the basic argument for his conviction that E was an independent source over against newer alternative approaches in European scholarship:

With regard to methodology, the diverse redactional and composition-critical approaches are not more than a resumption of the Fragmentary or Supplementary Hypothesis that was already judged insufficient in the 19th century because it does not explain the phenomena that initiated modern critical study of the Pentateuch—the doublets, the alteration of YHWH and Elohim, and above all the coincidence of both phenomena.⁹

Of course, the alteration of YHWH and Elohim and the doublets are striking observations within the Pentateuch, but—and here Graupner is wrong—they lead first and foremost not to the distinction between J and E but between P and non-P.

At the same time, this means that the opening statement of Baden's book concerning the status of J, E, and P needs to be rethought:

In short, the method by which P is separated from non-P is identical to that by which E can be separated from J. Moreover, the results are virtually identical: the J and E documents are no less coherent in the continuity of their historical claims and narrative details than P.¹⁰

The last sentence seems especially bold in its claim that J and E are no less coherent than P. This is very strong rhetoric; however, there is considerable agreement in pentateuchal studies that P is a more stable hypothesis than J and E.

3.2. "Documents" in Current European Proposals for the Formation of the Pentateuch

However, the acknowledgment that P was a source does not yet make a documentarian out of an alleged fragmentarian. In the following, I shall

9. Axel Graupner, *Der Elohist: Gegenwart und Wirksamkeit des transzendenten Gottes in der Geschichte*, WMANT 97 (Neukirchen-Vluyn: Neukirchener Verlag, 2002), 4.

10. Baden, *J, E, and the Redaction of the Pentateuch*, 3.

present three randomly chosen models from current European scholars of how the Pentateuch came about in order to show that also so-called nondocumentarian approaches to the Pentateuch in fact reckon with multiple documents and not only with supplements. The details of these models are of no interest here; the only purpose in using them here is to demonstrate the formerly independent literary documents they assume within the Pentateuch.

First there is Reinhard Kratz's monograph *Die Komposition der erzählenden Bücher des Alten Testaments*.¹¹ As for the beginnings of the literary history of the Pentateuch, Kratz assumes quite a few pre-Priestly documents, if we define "document" as a formerly stand-alone literary entity, such as an anthropogony in Gen 2–4, the table of nations in Gen 10, a cycle of Abraham tales—with a question mark, a Lot story in Gen 19, narrations about Isaac, Esau, Jacob, Laban, and Joseph, a Moses story, and so on. Some of the more extensive complexes even bear the same names as the traditional sources: Kratz terms the non-Priestly Genesis as J ("Jahwistic" Genesis), and the non-Priestly exodus story reaching until Josh 12 as E ("Exodus"). Another example can be found in Eckart Otto's article "Pentateuch" in the *Religion in Geschichte und Gegenwart*.¹² Again, it is obvious that he assumes several original documents having been worked into the Pentateuch, such as the primeval history, the tales about the ancestors in Gen 12–50, a Moses story, the Covenant Code and Deuteronomy, and so on. Finally, in Jan Gertz's *Grundinformation Altes Testament*¹³ there is quite a comparable assumption with regard to the role of documents in the composition of the Pentateuch: like Otto, he assumes a stand-alone primeval history, the ancestors story, a Moses story, and Deuteronomy as self-contained literary units.

11. Reinhard G. Kratz, *The Composition of the Narrative Books of the Old Testament*, trans. John Bowden (London: T&T Clark, 2005), 326; trans. of *Die Komposition der erzählenden Bücher des Alten Testaments*, UTB 2157 (Göttingen: Vandenhoeck & Ruprecht, 2000), 331.

12. Eckart Otto, "Pentateuch," RGG 6:1099.

13. Jan C. Gertz, ed., *Grundinformation Altes Testament: Eine Einführung in Literatur, Religion und Geschichte des Alten Testaments*, 3rd ed., UTB 2745 (Göttingen: Vandenhoeck & Ruprecht 2008), 216.

3.3. Are These “Documents” or Mere “Fragments”? An Excursus into the Early Uses of the Terms *Document* (*Urkunde*) and *Fragment* (*Fragment*)

However, a documentarian might object: These are not documents but fragments and are not comparable to the documents or sources of the Documentary Hypothesis. There is some truth to this objection; nevertheless, it requires some critical reassessment, especially in the light of the history of research.

To understand the relationship between documents and fragments, it is helpful to have a look at Johann Severin Vater’s *Commentar über den Pentateuch*. Vater inaugurated the Fragmentary Hypothesis, at least according to the usual textbook presentation. His position regarding the composition of the Pentateuch is as well-known as it is simple:

The books of the Pentateuch, from the first to the last, fall into individual pieces, in large, in small, also very small pieces, of which it is not possible to demonstrate that there originally was a link between them. For most of them, the opposite is clearly the case.¹⁴

Vater himself proposes the name *fragments* for these pieces. He explains this terminology as follows: “If the individual pieces in this commentary are called ‘fragments,’ this is to say that the individual pieces are without mutual links.”¹⁵ Fragments are called fragments not because of their incompleteness but instead because of their character as formerly stand-alone texts. The most striking point is that Vater’s fragments are nothing other than what previous scholarship had called *documents* (*Urkunden*): “The different pieces were usually termed the ‘documents’ of Genesis, a name that can lead to incorrect associations. The term ‘document’ means a publicly authorized message, or, at least, the report of an eyewitness.”¹⁶

However, Vater rejects these connotations that earlier in critical scholarship seemed to be the driving force behind the terminology either of

14. Johann Severin Vater, *Commentar über den Pentateuch: Mit Einleitungen zu den einzelnen Abschnitten, der eingeschalteten Übersetzung von Dr. Alexander Geddes’s merkwürdigeren critischen und exegetischen Anmerkungen, und einer Abhandlung über Moses und die Verfasser des Pentateuchs* (Halle: Waisenhaus-Buchhandlung, 1802–1805), 393.

15. Vater, *Commentar über den Pentateuch*, 394.

16. Vater, *Commentar über den Pentateuch*, 94.

Denkschrift, *Urkunde*, or, as Jean Astruc put it: *mémoires originaux*.¹⁷ The documents Moses used to compose the book of Genesis were closer to the events described than he himself was.

For Vater, the pieces making up the Pentateuch are at the same time both documents (*Urkunden*)—according to the traditional terminology—and fragments—according to his proposal. The association that the term fragment has nowadays—fragmentary in character—is not implied.

With Johann Gottfried Eichhorn, the author of the first *Einleitung in das Alte Testament*, published in 1780–1783 (here in the 1823 fourth edition), we find another interesting feature of the use of the term *Urkunde*.

Eichhorn is famous for being the first documentarian, differentiating between a J document and an Elohim document (which equals our P more than E). In the German original, these documents are termed *Urkunden*.¹⁸ So far, this is not surprising, but Eichhorn assumes that these documents incorporated still earlier preexisting documents: “The authors of the two works compiled in the book of Genesis probably used previously written documents [*Documente*] for their description of the oldest world.”¹⁹

In this passage, he calls them by the German term *Documente* (“documents”), but he can also refer to them as *Urkunden*. For example, Gen 2–3 belongs neither to the J *Urkunde* nor to the Elohim *Urkunde* but is an interpolation, which he also calls an *Urkunde*.

Some chapters of Genesis clearly exhibit the character of stand-alone documents [*Urkunden*], the authors of which had no visible share in the remaining parts. Already the second chapter, starting from the fourth verse, and the whole third chapter constitute such a stand-alone document [*Document*].²⁰

Urkunde is therefore the term both for the larger Jahwist and Elohim documents and for the interpolated pieces. Eichhorn admits that this usage might be irritating, but he states: “No one shall take offense at the term

17. Jean Astruc, *Conjectures sur les mémoires originaux, dont il paroît que Moïse s’est servi pour composer le livre de la Genèse* (Brussels: de Fricx, 1753).

18. Johann Gottfried Eichhorn, *Einleitung in das Alte Testament*, 4th ed., 5 vols. (Göttingen: Rosenbusch, 1823–1824), 3:57.

19. Eichhorn, *Einleitung*, 3:56.

20. Eichhorn, *Einleitung*, 3:39.

document [*Urkunde*] for a memoir [*Denkschrift*].... The briefness of the expression ... will justify it.”²¹

To sum up so far, neither Vater nor Eichhorn saw a qualitative difference between what are today termed documents and fragments. Both are *Urkunden*. If documentarians nowadays think of fragments as inferior to documents, then such an attitude is mainly idiosyncratic: of course, if one has J, E, or P in mind as documents, then smaller formerly independent pieces do not seem to have the same significance and importance. However, in methodological terms, there is no reason to deny them equal status.

The close interrelationship between documents (*Urkunden*) and fragments can also be detected in Wilhelm Martin Leberecht de Wette's writings. In his *Beiträge zur Einleitung in das Alte Testament*,²² he proposes the idea of a *Grundschrift* running through Genesis and Exodus (which basically equals P) that was secondarily expanded by additions. He is, so-to-speak, a one source documentarian.

Through Genesis and the beginning of Exodus there is an original entity, a sort of epic poem that was earlier than all remaining pieces and something like the original. It served as the basis for the collection of documents for this part of the history to which the remaining parts were attached as comments and supplements.²³

However, even this *Grundschrift*, which he calls the “Epic of Hebrew Theocracy”²⁴ is composed of stand-alone pieces that were then rearranged by the author. The *Grundschrift* document therefore consists of fragments:

The relationships of [the texts in] the Pentateuch are that of originally individual, independent pieces (articles) that were combined by the collector into a mistaken, strange connection. To understand and to appreciate them correctly, we therefore need to liberate them from this connection and to give them back their independence. Then they maybe appear very differently than they do in this distorted order and this interweaving.²⁵

21. Eichhorn, *Einleitung*, 3:39, emphasis original.

22. Wilhelm Martin Leberecht de Wette, *Beiträge zur Einleitung in das Alte Testament*, vol. 2 (Halle: Schimmelpfennig, 1806).

23. De Wette, *Beiträge*, 2:28.

24. De Wette, *Beiträge*, 2:31 [“Epos der hebräischen Theokratie”].

25. De Wette, *Beiträge*, 2:26.

Here we reach one of the basic convictions of classical nineteenth-century pentateuchal scholarship expressed, among others of course, by Julius Wellhausen, Hugo Gressmann, and especially Hermann Gunkel.

3.4. The Composite and Fragmentary Character of the “Documents” J and E in Classic Scholarship

It was already clear for Wellhausen that JE is not a unified document but a quite complex literary entity. Here are some quotes from his *Composition des Hexateuch*:

But this thread [sc. JE] ... is ... not as smooth and simple as Q, but of a more complex quality.²⁶

Unlike Q, JE is not a work with a unified conception, it instead went through more than one phase and more than one hand before reaching its present shape.²⁷

The end result is that JE has a multistaged history behind it and is the product of a longer written process.²⁸

For reasons of simplicity, I prescind in most cases from the fact that the literary process in fact was more complex and the so-called supplementation hypothesis in a subordinate way can indeed be used. J and E were probably edited and augmented several times (J¹ J² J³, E¹ E² E³), and they were combined not as J¹ and E¹, but as J³ and E³. A similar process took place for JE, Dt, and Q before they were combined with the relevant unities.²⁹

Gressmann followed Wellhausen on this point and wrote: “The only satisfying explanation is to consider JE as redactors or *collectors*.”³⁰

26. Julius Wellhausen, *Die Composition des Hexateuchs und der historischen Bücher des Alten Testaments*, 3rd ed. (Berlin: Reimer 1899), 2.

27. Wellhausen, *Die Composition*, 7.

28. Wellhausen, *Die Composition*, 13–14.

29. Wellhausen, *Die Composition*, 207.

30. Hugo Gressmann, *Mose und seine Zeit: Ein Kommentar zu den Mose-Sagen*, FRLANT 18 (Göttingen: Vandenhoeck & Ruprecht, 1913), 372, emphasis original. See also 368: “In many cases, JE are not more than tags that can be arbitrarily exchanged”

Even more accented was Gunkel. He stated in his commentary on the book of Genesis:

The literary collection of the tales does not emanate from one hand or one era, but it was achieved by some or even many hands in a very long process. We distinguish two eras in this process: the older era, in which the Yahwist (J) and the Elohist (E) were written, then a later, thoroughgoing transformation by the so-called Priestly Codex (P).³¹

How is the literary quality of the “sources” J and E and their subsources to be evaluated? One must begin by admitting that these writings are based on oral tradition, that they are collections.³²

J and E are not individual writers, but schools of narrators.³³

This was the state of the discipline until the 1920s and 1930s in German Protestant scholarship. Much emphasis was given to the fragments, out of which the documents were composed. Gunkel stated: “These collectors [i.e., J and E] are not masters, but servants of their material.”³⁴

In other words, for Gunkel, the traditions in Genesis are more important than their redaction and composition.

Still, of course, Wellhausen, Gunkel, and Gressmann were decided documentarians. But I doubt that we would have such a divergence in current scholarship if their notion of the compositeness of the sources, especially as expressed by Gunkel, would have prevailed.

3.5. The Simplification of the Documentary Hypothesis in the Twentieth Century

It was notably Gerhard von Rad’s influence that covered over, or even buried, the insights into the fragmentary prehistory—in the sense suggested by Vater—of the sources. Von Rad’s theory of the great age of the

(“In vielen Fällen sind JE weiter nichts als Etiketten, die man beliebig vertauschen darf”).

31. Hermann Gunkel, *Genesis: Übersetz und erklärt*, 6th ed., HKAT 1.1 (Göttingen: Vandenhoeck & Ruprecht, 1964), lxxx.

32. Gunkel, *Genesis*, lxxxii.

33. Gunkel, *Genesis*, lxxxv.

34. Gunkel, *Genesis*, lxxxv.

so-called short historical creed with the entire story line of the Hexateuch as a blueprint was so successful that many scholars forgot the classical shape of the Documentary Hypothesis from Wellhausen to Gunkel, especially for J and E. The traditional notion of J and E as collectors fundamentally changed with von Rad. J especially became a theologian who grouped the material at his hands according to a certain ancient and traditional idea—the “short historical creed.”

Von Rad’s theory was quite successful. The well-known passage arguing for the great age of the historical creed is a wonderful example of scientific rhetoric, but it is, in fact, a poorly supported hypothesis:

The deuteronomic phraseology of the latter half of this prayer [sc. the short historical creed in Deut. 26:5b–9] in particular is quite unmistakable, and there can be no doubt that it is a liturgical formula. Such prayers really were used, and they were certainly not new in the time of the Deuteronomist. All the evidence points to the fact that this prayer is much older, both in form and content, than the literary context into which it has been inserted.³⁵

It is easy to see that von Rad’s language is rather loaded: “quite unmistakable”; “there can be no doubt”; “really were used”; “certainly”; “all the evidence points to the fact.” But if somebody is stating that there can be no doubt or that all the evidence points to the fact, then there usually *is* doubt and *not* all the evidence points in the same direction. In von Rad’s case, very little evidence is provided for the antiquity of the historical creed except for his historical imagination. Furthermore, current scholarship generally holds this text to be a later summary that belongs to the end of the literary history of the Pentateuch—the text is probably even influenced by P-passages.³⁶ But in his day the mainstream of scholarship was convinced. An almost tragic example can be found on the second page of Martin Noth’s *History of Pentateuch Traditions* where Noth chooses to rely

35. Gerhard von Rad, “The Form-Critical Problem of the Hexateuch,” in *The Problem of the Hexateuch and Other Essays*, trans. E. W. Trueman Dicken (London: SCM, 1984), 4.

36. See the discussion and bibliography in Jan C. Gertz, “Die Stellung des kleinen geschichtlichen Credo in der Redaktionsgeschichte von Deuteronomium und Pentateuch,” in *Liebe und Gebot: Studien zum Deuteronomium; Festschrift zum 70. Geburtstag von Lothar Perlitt*, ed. Reinhard G. Kratz and Hermann Spieckermann, FRLANT 190 (Göttingen: Vandenhoeck & Ruprecht, 2000), 30–45.

on von Rad's shaky theory instead of on his own observations that pointed to the existence of different, independent themes within the Pentateuch:

This basic form [sc. of the Pentateuch] did not finally emerge as the later consequence of a substantive combination and arrangement of individual traditions and individual complexes of traditions. Rather, this form was already given in the beginning of the history of traditions in a small series of themes essential for the faith of the Israelite tribes.... This has been clearly shown by Gerhard von Rad in his important study on the "Hexateuch."³⁷

The shape of the Documentary Hypothesis that is today seen as the classical theory was established by von Rad, and by Noth's acquiescence to von Rad. The texts of the Pentateuch are mainly interpreted within the context of their assumed source contexts; their prehistory and their possible former independence spark only marginal interest.

I think it is crucial to keep this history of scholarship in mind in order to understand what Rendtorff and his students, and the students of his students, actually have in mind when arguing against this classical shape of the Documentary Hypothesis. One of the main problems Rendtorff pointed out was that the twentieth-century German documentarians were decidedly bound to the notion of sources, especially J, as *theological* texts, but they never really investigated what this theology was nor whether this theology was identical in the different sections of the assumed sources.

It is, for example, quite suspicious that Noth stated for the theology of J with regard to Gen 12:1–3:

All the weight of J's theology lies on the beginning of his narration. In that which follows, he [the Yahwist] stayed almost exclusively with the transmitted material of the pentateuchal narrative without intervening to change or expand its substance. It was enough for him to have said clearly in the opening portion how he wanted all the remaining material to be understood.³⁸

In other words, Noth claims there is actually no way to identify J-portions within the Pentateuch on the basis of theological criteria because J only

37. Martin Noth, *A History of Pentateuchal Traditions*, trans. with an introduction by Bernhard W. Anderson, Scholars Press Reprint 5 (Chico, CA: Scholars Press, 1981), 2; trans. of *Überlieferungsgeschichte des Pentateuch* (Stuttgart: Kohlhammer, 1948).

38. Noth, *History of Pentateuchal Traditions*, 238.

formulated one theological text—Gen 12:1–3. While this is not really a maintainable position, even within the framework of the Documentary Hypothesis, it shows Noth's awkwardness with regard to the theological unity of J.

In contrast, Rendtorff quite rightly criticized: "Up to now, no convincing evidence has been produced in favor of the assumption that the recognizable reworking of the traditions in the different parts of the Pentateuch stems from one and the same redactor or author."³⁹

What Rendtorff and his students, and the students of his students, had in mind was to investigate the main compositional questions of the Pentateuch more on the basis of material rather than solely formal criteria, like doublets or the alteration of YHWH and Elohim. This investigation, rather than leading to a mere abandonment of the Documentary Hypothesis, led to the rediscovery of some fundamental observations on the Pentateuch that were crucial for scholarship in the era from Vater and de Wette to Wellhausen, Gressmann, and Gunkel.

3.6. Evaluation

In order to present some conclusions, the following points seem noteworthy:

First, the "anti-documentary uproar"⁴⁰ in European pentateuchal scholarship was mainly directed against a specific neglect of the prehistory of the alleged sources and against an uncritically assumed literary or material unity of the alleged sources that arose in the wake of von Rad.

Second, documents still are an indispensable assumption for describing the composition of the Pentateuch. This is especially obvious in the case of P, but the term document should be kept open to include any formerly stand-alone literary source text in the Pentateuch.

Third, from the outset there is, therefore, no reason to privilege documents over against fragments in Vater's sense.

Fourth, the movement with regard to theories concerning the composition of the Pentateuch should go from the texts to the theories and not the other way round. Baden writes in his study on the Pentateuch: "It is the classical model which remains the focus of the analysis below, with the aim of reasserting its basic structure but reassessing those aspects that have

39. Rendtorff, *Problem*, 28.

40. See n. 1.

been criticized.”⁴¹ A *focus* is a metaphor stemming from optical geometry and signifies the point where different beams are bundled within a parabolic reflector. When applied to pentateuchal theory, this metaphor seems to suggest that we have different textual observations that can be bundled and explained within the classical model. I find this formulation open to misunderstanding, to say the least. I do not think we should have any theoretical focus when discussing the composition of the Pentateuch. There is no need and no sense in restricting the possibilities of literary genesis to one model or another from the outset. It is more or less obvious that the Pentateuch includes documents, fragments, and supplements, and nearly all documentarians, up to the end of the twentieth century, and nearly all fragmentarians in the twenty-first century acknowledge this.

If someone argues that we should strive for a simpler model,⁴² then I would follow Albert Einstein in arguing that yes, the explanation of the Pentateuch indeed has to be as simple as possible but not simpler.

41. Baden, *J, E, and the Redaction of the Pentateuch*, 8.

42. Cf. Baden, *J, E, and the Redaction of the Pentateuch*, 4: “the Documentary Hypothesis remains the simplest, most complete explanation for the literary problems of the canonical text of the Pentateuch.”

The Emergence and Disappearance of the Separation between Pentateuch and Deuteronomistic History in Biblical Studies

The aim of this essay is to review the history of scholarship that led to the separation of the Pentateuch and the Deuteronomistic History in biblical studies. While the material presented here is not necessarily new, it may be helpful to provide a close reading of the main arguments in the history of scholarship and to highlight the inner dynamics of the debate. In the twentieth century, there was one person in particular who influenced the literary evaluation of the relationship between the Pentateuch and the Deuteronomistic History—Martin Noth. When Noth died in 1968, Rudolf Smend wrote in his obituary: “In a broader sense, most present-day Old Testament scholars are, to some extent, his students.”¹ Smend is probably correct in this conclusion. It is, however, another question, whether these scholars were right to follow in Noth’s path.

The fact that the quasi-canonical status of Noth’s theory of the Deuteronomistic History continues in Hebrew Bible scholarship into the present can be demonstrated by looking at recent introductions to the Old Testament. For example, in John J. Collins’s, *Introduction to the Hebrew Bible*,² four main sections organize the biblical canon:

Part One: The Torah/Pentateuch

Part Two: The Deuteronomistic History

1. Rudolf Smend, “Nachruf auf Martin Noth,” in *Gesammelte Studien zum Alten Testament II*, ed. Martin Noth, TB 39 (Munich: Kaiser, 1969), 144: “in einem weiteren Sinn sind heute die meisten Alttestamentler ein wenig seine Schüler”). Unless otherwise noted, all translations are mine.

2. Collins, *Introduction to the Hebrew Bible* (Minneapolis: Fortress, 2004), v–vi.

Part Three: Prophecy

Part Four: The Writings

There is one major difference between the Jewish biblical canon and the structure of this introduction: the books Joshua through Kings are not called the “Former Prophets,” according to their canonical designation but “The Deuteronomistic History,” indicating that the influence of Noth’s thesis on contemporary biblical scholarship is so strong that his description of the Former Prophets has come to function as a deuterocanonical term for the same text block.

Collins’s four-part organization leaves the impression that the Pentateuch must be read as a body of literature distinct from the Deuteronomistic History, in much the same way as it would be separated from the Prophets or the Writings. This approach to the Hebrew canon has hermeneutical implications. For example, Collins is especially skeptical about Erhard Blum’s thesis of a D-composition in the Pentateuch because the mention of several sanctuaries in Genesis apparently contradicts the Deuteronomistic ideal of a single central sanctuary in Jerusalem, a point stressed also by Christoph Levin.³ Collins concludes: “It is surely more plausible that the pentateuchal narrative was already established and authoritative before Deuteronomy was added.”⁴ My aim here is not to pursue this literary argument but rather to demonstrate that the strict separation between the Pentateuch and the Deuteronomistic History began with Noth and continues to influence contemporary biblical interpretation broadly.

How is the immense influence of Noth’s theory to be explained? Before Noth, in the nineteenth and early twentieth century, many scholars reckoned that the pentateuchal sources J, E, and P extended into Joshua, Judges, Samuel and even Kings.⁵ For example, Carl Cornill, Karl Budde,

3. Christoph Levin, *Der Jahwist*, FRLANT 157 (Göttingen: Vandenhoeck & Ruprecht, 1993), 430–35.

4. Collins, *Introduction*, 63.

5. See Carl H. Cornill, “Ein elohistischer Bericht über die Entstehung des israelitischen Königthums in I Samuelis 1–15 aufgezeigt,” *Zeitschrift für kirchliche Wissenschaft und kirchliches Leben* 6 (1885): 113–41; Cornill, “Noch einmal Sauls Königswahl und Verwerfung,” *ZAW* 10 (1890): 96–109; Cornill, “Zur Quellenkritik der Bücher Samuelis,” *Königsberger Studien* 1 (1887): 25–89; Karl Budde, *Das Buch der Richter*, KHC 7 (Tübingen: Mohr, 1897), xii–xv; Budde, *Die Bücher Richter und Samuel: Ihre Quellen und ihr Aufbau* (Giessen: Ricker, 1890), 165–66, 268–69; Budde, *Die Bücher Samuel*, KHC 8 (Tübingen: Mohr, 1902), xii–xxi; Budde, *Geschichte der althebräischen*

Immanuel Benzinger, Willy Staerk, Rudolf Smend Senior, and Cuthbert A. Simpson all reached this conclusion. JE and P were also clearly present at several points in the book of Joshua for Julius Wellhausen.⁶ What, then, was the strength of Noth's arguments that allowed him to challenge this broad consensus successfully and to propose a strict division between the Pentateuch and the Deuteronomistic History?

Noth's argument for the literary identification of the Deuteronomistic History was twofold. First, he explained in his 1938 commentary on Joshua that the book of Joshua has to be interpreted without relying on the Documentary Hypothesis and without presupposing that the traditional sources J, E, and P continue into Joshua.⁷ Strictly speaking, this idea was not original with Noth but rather with his Doktorvater Albrecht Alt, as Noth indicates himself in the preface to this commentary:⁸

Litteratur: Apokryphen und Pseudepigraphen von Alfred Bertholet (Leipzig: Amelangs, 1909), 57–59; Immanuel Benzinger, *Jahvist und Elohist in den Königsbüchern*, BWAT 2 (Berlin: Kohlhammer, 1921); Benzinger, *Die Bücher der Könige*, KHC 9 (Freiburg: Mohr, 1899); Willy Staerk, *Die Entstehung des Alten Testaments*, Sammlung Göschen 272 (Berlin: Göschen'sche Verlagshandlung, 1918), 11–16; Rudolf Smend Sr., "JE in den geschichtlichen Büchern des AT," ZAW 39 (1921): 181–217; Gustav Hölscher, "Das Buch der Könige, seine Quellen und seine Redaktion," in *Eucharistion, Studien zur Religion und Literatur des Alten und Neuen Testaments*, ed. Hans Schmidt, FRLANT 19 (Göttingen: Vandenhoeck & Ruprecht, 1923) 158–213; Hölscher, *Geschichtsschreibung in Israel: Untersuchungen zum Jahvisten und Elohisten* (Lund: Gleerup, 1952); Hölscher, *Geschichte der israelitischen und jüdischen Religion* (Giessen: Töpelmann, 1922), 135 n. 1; Otto Eissfeldt, *Die Quellen des Richterbuches in synoptischer Anordnung ins Deutsche übertragen samt einer in Einleitung und Noten gegebenen Begründung* (Leipzig: Hinrichs, 1925); Eissfeldt, *Einleitung in das Alte Testament unter Einschluss der Apokryphen und Pseudepigraphen sowie der apokryphen und pseudepigraphenartigen Qumran-Schriften: Entstehungsgeschichte des Alten Testaments*, 3rd ed., NTG (Tübingen: Mohr, 1964), 178–79, 771; Cuthbert A. Simpson, *Composition of the Book of Judges* (Oxford: Blackwell 1957); see the overviews provided by Hölscher, *Geschichtsschreibung*, 7–19; Ernst Jenni, "Zwei Jahrzehnte Forschung an den Büchern Josua bis Könige," TRu 27 (1961): 1–32, 97–146; Georg Fohrer, *Einleitung in das Alte Testament*, 10th ed. (Heidelberg: Quelle & Meyer, 1965), 212–57. An early critical assessment of this assumption is provided by Rudolf Kittel, "Die pentateuchischen Urkunden in den Büchern Richter und Samuel," TSK 65 (1892): 44–71.

6. Julius Wellhausen, *Die Composition des Hexateuch und der historischen Bücher des Alten Testaments*, 3rd ed. (Berlin: Reimer, 1899), 116–34.

7. Martin Noth, *Das Buch Josua*, HAT 1.7 (Tübingen: Mohr Siebeck, 1938), vii–viii.

8. On Alt see esp. Rudolf Smend, *Deutsche Alttestamentler in drei Jahrhunderten* (Göttingen: Vandenhoeck & Ruprecht, 1989), 182–207.

The fact that it is possible for scholarly interpretations of the book of Joshua to be more successful today than was the case earlier should be credited foremost to the numerous and ground-breaking works of Albrecht Alt, with whom I was able to discuss many questions concerning the exegesis of this book [sc. Joshua].⁹

Noth relied in particular on a 1936 article by Alt entitled “Josua.”¹⁰ In this work, Alt determined Josh 1–11 to be “a series of tales that existed on their own and that do not lose their meaning when they are detached one from another. Rather, they become much clearer when removed from their present connection to one another.”¹¹

Noth’s second argument was that Deuteronomistic editorial activity did not take place in Genesis through Numbers. This argument goes beyond Alt’s influence. Alt never mentions J, E, or P anywhere in his article. Alt himself had something of a forerunner in Hugo Gressmann, who proposed a similar approach to Joshua in his 1914 commentary on Joshua in the *Schriften des Alten Testaments*.¹² Noth explained the book of Joshua on the foundation received from Gressmann and Alt. He found different individual traditions in the book that were combined by a so-called collector (“Sammler”)¹³ that he neither identified with J nor with E.¹⁴ This was

9. Noth, *Josua*, v: “Dass es möglich ist, auf diesem Forschungsgebiet heute weitzerzukommen, als es früheren Auslegungen desselben Buches gelingen konnte, beruht in erster Linie auf den dem Josua-Buche gewidmeten, mannigfachen und grundlegenden Arbeiten von Albrecht Alt, mit dem ich auch persönliche viele die Auslegung dieses Buches betreffende Fragen besprechen konnte.”

10. Albrecht Alt, “Josua,” in *Werden und Wesen des Alten Testaments*, ed. Paul Volz, Friedrich Stummer, and Johannes Hempel, BZAW 66 (Berlin: Töpelmann, 1936), 13–29.

11. Noth, *Josua*, 14: “eine Reihe von Erzählungen, deren jede ihren Daseinsgrund in sich selbst hat und darum auch dann ihren Sinn nicht verliert, sondern nur noch deutlicher offenbart, wenn man sie aus der uns vorliegenden Verknüpfung mit den anderen herauslöst.”

12. Hugo Gressmann, *Die Anfänge Israels (von 2. Mosis bis Richter und Ruth)*, SAT 1.2 (Göttingen: Vandenhoeck & Ruprecht, 1914).

13. Noth, *Josua*, ix–xiii.

14. Noth, *Josua*, xiii. Alt points to the similar stance of Gressmann in Gressmann’s commentary on Joshua in his *Prophetismus und Gesetzgebung des Alten Testaments im Zusammenhange der Geschichte Israels*, SAT 1.2 (Göttingen: Vandenhoeck & Ruprecht, 1910). Gressmann characterizes the book of Joshua as a “Sammlung von Sagen” (14), but he still recognizes the continuation of the pentateuchal sources throughout Joshua.

a new idea that went against the position well established since Wilhelm Martin Liberecht de Wette. Noth stated:

Now the view that Dtr. started with the book of Genesis is obviously mistaken, for it is generally recognised that there is no sign of 'Deuteronomistic editing' in Genesis–Numbers.¹⁵

Given that the books Genesis–Numbers show no signs of such an adaptation by Dtr. and that these books, therefore, look completely different from Joshua–Kings, we can only conclude that the books Genesis–Numbers, or at any rate the form of these books that antedated the Priestly work, were no part of Dtr.'s work.¹⁶

Noth, however, also qualified his second argument that Genesis–Numbers lack all forms of Deuteronomistic reworking, adding in a footnote: "Quite rightly, no one has yet, as far as I know, interpreted the occasional passages where the old text is augmented in Deuteronomistic style, e.g., Ex. 23:20ff. and Ex. 34:10ff., as sign of a thorough 'redaction.'"¹⁷

With his notion that Genesis through Numbers is completely non-Deuteronomistic and that Joshua through Kings has nothing to do with the sources of the Pentateuch, Noth set the stage for the subsequent interpretation of Genesis through Kings in the second half of the twentieth century. Noth was certainly *the* pivotal figure for what might be called "the separation model," which assumes a huge gap between the Pentateuch and the Deuteronomistic History, but he would not have been so successful without the help of others.

To overexaggerate for a moment, I will describe the separation model as a success only because of an explicit but misguided compromise between Noth and Gerhard von Rad. To be sure, Noth and von Rad

15. Martin Noth, *The Deuteronomistic History*, JSOTSup 15 (Sheffield: Sheffield Academic, 1981), 12–13; Noth, *Überlieferungsgeschichtliche Studien: Die sammelnden und bearbeitenden Geschichtswerke im Alten Testament* (Stuttgart: Kohlhammer, 1943), 13: "in den Büchern Gen.–Num. fehlt jede Spur einer 'deuteronomistischen Redaktion', wie allgemein anerkannt ist."

16. Noth, *Deuteronomistic History*, 13; Noth, *Überlieferungsgeschichtliche Studien*, 13: "dass die Bücher Gen.–Num. bzw. deren alter, vorpriesterschriftlicher Bestand, nicht mit zu dem Werke von Dtr gehört haben."

17. Noth, *Deuteronomistic History*, 103–4 n. 2; *Überlieferungsgeschichtliche Studien*, 103 n. 1.

belong among the most talented and gifted scholars of their time, but it was particularly their high reputation that allowed them to establish together—but ironically also to a certain extent *against* each other—a redactional model for the Enneateuch (Genesis–Kings) that was mainly based on a gentleman’s agreement rather than on good arguments. What supports this conclusion?

The roots of the scholarly compromise between Noth and von Rad emerged in 1938. This was not only the year of the publication of Noth’s commentary on Joshua, but also of von Rad’s study on the form-critical problem of the Hexateuch.¹⁸ These studies, however, came to *contradictory* conclusions. Von Rad proposed an early Hexateuch, while Noth denied the existence of the pentateuchal sources in Joshua. Nevertheless, Noth and von Rad ironically succeeded in proposing a harmonizing compromise to Hebrew Bible scholarship that became the standard model. It included the following elements:

(1) Von Rad’s contribution to the compromise was the hypothesis of an early Hexateuch. He concluded that an early Hexateuch had once continued into the book of Joshua; however, (2) it was no longer extant in Joshua because it was replaced when combined with the Deuteronomistic History. The omission of the original hexateuchal sources in Joshua was von Rad’s tribute to Noth, and it gave rise to the very well-known standard model for the compositional history of Genesis to Kings promulgated in the second half of the twentieth century. Recent scholarship, however, shows that this compromise cannot be maintained because it leads to major problems that can no longer be overlooked. This model must come to terms with an immense loss of text. It presupposes that the Yahwist’s and Elohist’s accounts of the conquest of the land were lost when their works were combined with the Deuteronomistic History.¹⁹ This proposition not only lacks elegance, but it is also highly improbable. Why should the redactors of the Hebrew Bible invest so much energy combining and

18. See Gerhard von Rad, “Das formgeschichtliche Problem des Hexateuchs,” in *Gesammelte Studien zum Alten Testament*, 2 vols., TB 8 and 48 (Munich: Kaiser, 1958–1973), 1:9–86; trans. as “The Form-Critical Problem of the Hexateuch,” in *The Problem of the Hexateuch and Other Essays*, trans. E. W. Trueman Dickens (Edinburgh: Oliver & Boyd, 1966), 1–78.

19. Martin Noth, *A History of Pentateuchal Traditions*, trans. and with an introduction by Bernard W. Anderson, Scholars Press Reprint 5 (Chico, CA: Scholars Press, 1981), 20; Noth, *Überlieferungsgeschichtliche Studien*, 211.

conflating older texts such as in Gen 6–9 or Exod 13–14 when they could also just leave out large sections? Yet von Rad gave in to Noth's exclusion of Joshua from the Documentary Hypothesis and thus to the destruction of the Hexateuch theory: a Hexateuch without an account of the conquest of the land is no longer a Hexateuch. Von Rad illustrates his compromise with Noth in his *Theology of the Old Testament*:

Because of the thesis of Noth, who completely denies the occurrence of the sources J, E, and P in the Book of Joshua, the literary analysis of this book has again become uncertain.... So until there is further clarification on this question, we do not take the picture given in the source documents as our starting point, but confine ourselves to drawing upon the older and later literary parts which make it up.²⁰

Noth also compromised his hypothesis of the Deuteronomistic History to incorporate von Rad's research on the Hexateuch. In particular Noth accepted von Rad's model of the very old and stable blueprint of the Hexateuch in the short historical creedal texts. At the beginning of his *A History of Pentateuchal Traditions* from 1948, he maintained:

This basic form [sc. of the Pentateuch] did not finally emerge as the later consequence of a substantive combination and arrangement of *individual* traditions and individual complexes of traditions. Rather, this form was already given in the beginning of the history of traditions in a small series of themes essential for the faith of the Israelite tribes.... This has been clearly shown by Gerhard von Rad in his important study on the "Hexateuch."²¹

This conclusion is rather surprising since Noth had developed a completely different approach to the composition of the Pentateuch in this book. He proposed a composition that developed from several indepen-

20. Gerhard von Rad, *The Theology of Israel's Historical Traditions*, vol. 1 of *Old Testament Theology*, trans. David Stalker (New York: Harper, 1962), 298 n. 4. See already von Rad, "Hexateuch oder Pentateuch?" *VF* (1947–1948): 52–56.

21. Noth, *History of Pentateuchal Traditions*, 2, emphasis original. For a recent treatment see Jan C. Gertz, "Die Stellung des kleinen geschichtlichen Credo in der Redaktionsgeschichte von Deuteronomium und Pentateuch," in *Liebe und Gebot: Studien zum Deuteronomium; Festschrift zum 70. Geburtstag von Lothar Perlt*, ed. Reinhard G. Kratz and Hermann Spieckermann, *FRLANT* 190 (Göttingen: Vandenhoeck & Ruprecht, 2000), 30–45.

dent traditions—what he called “major themes”: “Guidance out of Egypt,” “Guidance into the Arable Land,” “Promise to the Patriarchs,” and so on. But, a peaceful man himself, Noth accepted von Rad’s theory of an old Hexateuch, and he therefore assumed that the independence of the major themes of the Pentateuch only belonged to the realm of its probable oral prehistory in premonarchic times. It is almost tragic to read passages like the following from Noth’s commentary on the book of Numbers:

If we were to take the book of Numbers on its own, then we would think not so much of “continuing sources” as of an unsystematic collection of innumerable pieces of very varied content, age and character (“Fragment Hypothesis”).... It is, therefore, justifiable to approach the book of Numbers with the results of Pentateuchal analysis elsewhere and to expect the continuing Pentateuchal “sources” here, too, even if, as we have said, the situation in Numbers, of itself does not exactly lead us to these results.²²

Without the compromise with von Rad, Noth probably would have advanced an approach to the composition of the Pentateuch more similar to that of the book of Joshua or the Deuteronomistic History as a whole, rather than to the source model. Then he might even have felt compelled to include the entirety of Genesis through Kings. But there was the compromise to be agreed upon, and in the aftermath of Noth and von Rad, Hebrew Bible scholarship chose to remain in that golden cage for about half a century.

It is fair to say that the separation between the Pentateuch and the Deuteronomistic History has started to disappear in current scholarship. Evidence of the problems in the Noth–von Rad separation model began to appear in the 1970s. First, there were the books by John Van Seters, Hans Heinrich Schmid, and Rolf Rendtorff, all from the mid-seventies, which in various ways suggested a much closer relationship between the Deuteronomistic History and the Pentateuch than the one proposed by the Noth–von Rad compromise.²³ Van Seters and Schmid dated the Yahwist

22. Martin Noth, *Numbers: A Commentary*, trans. James D. Martin, OTL (London: SCM, 1968), 4–5; trans. of *Das vierte Buch Mose: Numeri*, ATD 7 (Göttingen: Vandenhoeck & Ruprecht, 1966).

23. John Van Seters, *Abraham in History and Tradition* (New Haven: Yale University Press, 1975); Hans Heinrich Schmid, *Der sogenannte Jahwist: Beobachtungen und Fragen zur Pentateuchforschung* (Zurich: TVZ, 1976); Rolf Rendtorff, *The Problem of the Process of Transmission in the Pentateuch*, trans. John J. Scullion, JSOTSup

very close to the Deuteronomist and also detected some theological affinities between the two. This was in fact a return to Wellhausen, who already found the Yehowist (that is, the combined JE) and the Deuteronomists to be kindred spirits (“Geistesverwandtschaft”). Wellhausen himself even wavered about whether the D texts in the Pentateuch (which he acknowledged, unlike Noth) should be attributed to the Yehowist (JE), who himself was something like a Deuteronomist, or whether he should conclude that there was also a D redaction of the Pentateuch: “Again, his strikingly kindred spirit with Deuteronomy appears—unless one should assume that there was another additional Deuteronomist besides him.”²⁴

Somewhat different from Van Seters and Schmid, Rendtorff argued for a compositional model of the Pentateuch similar to that of the Deuteronomistic History proposed by Martin Noth. Noth himself might have considered this type of model if he had applied his own methodology more carefully. Rendtorff theorized that there were major text blocks not only in Deuteronomy through Kings but also in Genesis through Deuteronomy that were subsequently linked together by a Deuteronomistic redactional layer. So, the history and the method of composition of the Pentateuch and the Deuteronomistic History were understood to be closer to each other than was the case in the Noth–von Rad compromise.

Subsequent interpreters continued to move away from the synthesis established by Noth and von Rad. One example was the introduction to the Old Testament by Smend published in 1978.²⁵ This work remained strongly influenced by the compromise of Noth and von Rad, while also differentiating Noth’s Dtr into DtrH, DtrP, and DtrN. Smend sympathized with the notion that DtrN could be present in Deuteronomy through Kings, as well as in pentateuchal texts like Exod 23:20–33; 34:11–16; or Num 33:50–55.²⁶ Hans-Christoph Schmitt also provided an important contribution in the 1980s and 1990s among German-speaking scholars that continued to move interpreters away from the

89 (Sheffield: Sheffield Academic, 1990); trans. of *Das überlieferungsgeschichtliche Problem des Pentateuch*, BZAW 147 (Berlin: de Gruyter, 1977).

24. Wellhausen, *Die Composition*, 94 n. 1: “Dessen [sc. des Jehowisten] Geistesverwandtschaft mit dem Deuteronomium tritt wiederum auffallend hervor—wenn nicht ausser ihm noch ein Deuteronomist anzunehmen ist.”

25. Rudolf Smend, *Die Entstehung des Alten Testaments*, ThW 1 (Stuttgart: Kohlhammer, 1978).

26. Smend, *Die Entstehung des Alten Testaments*, 115.

Noth-von Rad compromise by advocating for an integral perspective on Genesis through Kings.²⁷ He reckons with a late Deuteronomistic redaction in Genesis through Kings, which represents a mediating perspective between Priestly and Deuteronomistic theology.

Blum provided a significant breakthrough beyond the Noth-von Rad compromise in 1984 with his book on the composition of the ancestors' story in Gen 12–50 and again in his 1990 companion volume on Exodus through Numbers and Deuteronomy.²⁸ He extended and elaborated Rendtorff's view from 1977 that the Pentateuch is basically shaped by Deuteronomistic and Priestly compositional layers. With regard to the Deuteronomistic texts in the Pentateuch, he developed the notion that they were composed within a literary horizon that overarches both the Pentateuch and the Deuteronomistic History: "It is apparent in Deut 31,14f.23; 34,10 ... that these KD-elements are embedded as additions dependent on a larger presupposed textual entity, namely, the so-called Deuteronomistic History (in the sense of M. Noth)."²⁹

27. Hans-Christoph Schmitt, "Die Suche nach der Identität des Jahweglaubens im nachexilischen Israel," in *Theologie in Prophetie und Pentateuch: Gesammelte Schriften*, BZAW 310 (Berlin: de Gruyter, 2001), 255–76; Schmitt, "Das spätdeuteronomistische Geschichtswerk Gen 1–2 Regum XXV und seine theologische Intention," in *Theologie in Prophetie und Pentateuch*, 277–94; Schmitt, "Die Josephsgeschichte und das Deuteronomistische Geschichtswerk: Genesis 38 und 48–50," in *Theologie in Prophetie und Pentateuch*, 295–308; Schmitt, "Die Erzählung vom Goldenen Kalb Ex. 32* und das Deuteronomistische Geschichtswerk," in *Theologie in Prophetie und Pentateuch*, 311–25; Schmitt, "Das sogenannte jahwistische Privilegrecht in Ex 34,10–28 als Komposition der spätdeuteronomistischen Endredaktion des Pentateuch," in *Abschied vom Jahwisten: Die Komposition des Hexateuch in der jüngsten Diskussion*, ed. Jan C. Gertz, Konrad Schmid, and Markus Witte, BZAW 315 (Berlin: de Gruyter, 2002), 157–71; Schmitt, "Dtn 34 als Verbindungsstück zwischen Tetrateuch und Deuteronomistischen Geschichtswerk," in *Das Deuteronomium zwischen Pentateuch und Deuteronomistischem Geschichtswerk*, ed. Eckart Otto and Reinhard Achenbach, FRLANT 206 (Göttingen: Vandenhoeck & Ruprecht, 2004), 180–92; Schmitt, *Arbeitsbuch zum Alten Testament: Grundzüge der Geschichte Israels und der alttestamentlichen Schriften*, UTB 2146 (Göttingen: Vandenhoeck & Ruprecht, 2005), 242–48.

28. Erhard Blum, *Die Komposition der Vätergeschichte*, WMANT 57 (Neukirchen-Vluyn: Neukirchener, 1984); Blum, *Studien zur Komposition des Pentateuch*, BZAW 189 (Berlin: de Gruyter, 1990).

29. Blum, *Komposition des Pentateuch*, 109: "Vielmehr hatte sich bei Dtn 31,14f.23; 34,10 ergeben..., dass diese KD-Komponenten als unselbständige Ergänzungen in einen vorgegebenen Zusammenhang eingebettet sind, näherhin in den Zusammenhang des "deuteronomistischen Geschichtswerks" (im Sinne von M. Noth)."

A closer analysis reveals that Blum actually reckons with two Deuteronomists. The first is the Deuteronomist that corresponds with Noth's hypothesis. This author, however, plays a minor role in Blum's research, so minor, in fact, that he is addressed, astonishingly, in only one small footnote in the two large books on the Pentateuch:

The complex discussion about the possible internal redaction history of the "Deuteronomistic History" cannot and need not be brought up here.... Eventually all the different post-Nothian layers or block models end up with an entity more or less identical to Noth's [Deuteronomistic] history. This is what I mean here.³⁰

There is also a second Deuteronomist that incorporated the traditions from Genesis, or rather—as he corrected himself in 2002—from Exodus to Numbers into a work reaching from Exodus to Kings. Blum writes of this author: "Therefore, we should reckon with a new framework of the pre-Priestly 'D-composition.' Its narration coincides with the Moses story running from Exod 1 to Deut 34."³¹

The influential nature of Blum's position, especially in the extended version from 1990, can be seen by the fact that most English-speaking introductions on the Hebrew Bible assume a D- and a P-layer throughout the Pentateuch, seen most clearly in Joseph Blenkinsopp's introduction into the Pentateuch.³² In the wake of this overarching D-perspective in Genesis to Kings, it has become more customary to speak of the so-called Primary History, a term previously introduced to Hebrew Bible scholarship by David Noel Freedman in 1962.³³ This hypothesis could not be further removed

30. Blum, *Komposition des Pentateuch*, 109 n. 35: "Die verzweigte Diskussion über eine eventuelle interne Redaktionsgeschichte des 'DtrG' kann und braucht hier nicht aufgenommen zu werden ... Schliesslich gelangen auch die diversen post-Nothschen Schichten- und Blockmodelle irgendwann zu einer Grösse, die mehr oder weniger mit Noths Geschichtswerk übereinstimmt. Von dieser ist hier die Rede."

31. Erhard Blum, "Die literarische Verbindung von Erzvätern und Exodus: Ein Gespräch mit neueren Endredaktionshypothesen," in Gertz, Schmid, and Witte, *Abschied vom Jahwisten*, 155: "Damit legt sich eine Neubegrenzung der—vorpriesterlichen—'D-Komposition' nahe: Ihr Handlungs- und Darstellungsraum deckt sich mit der Geschichte Moses zwischen Ex 1 und Dtn 34."

32. Joseph Blenkinsopp, *The Pentateuch: An Introduction to the First Five Books of the Bible*, ABRL (New York: Doubleday, 2000).

33. Cf. David N. Freedman, "The Law and the Prophets," in *Congress Volume*, Bonn, 1962, ed. G. W. Anderson et al. VTSup 9 (Leiden: Brill, 1963), 250–65, esp.

from Noth's classical stance, which denied any genuine D-texts in Genesis through Numbers. The separation of the Pentateuch into D and P layers has much more to do with the influence of Rendtorff and Blum than with Noth.

The most recent scholarship on the composition of the Pentateuch and the Former Prophets begins from the aforementioned self-correction of Blum, namely, that the literary stratum of KD is best restricted to Exodus through Deuteronomy and therefore does not include Genesis. Blum based this conclusion on two main observations:

First, it is quite obvious that the Deuteronomistic idiom can be found more clearly in Exodus and Numbers than in Genesis.

Second, at least among German-speaking scholars, there is a growing sympathy for the theory proposed first by Albert de Pury and Thomas

251, 254, 257; David N. Freedman and Jeffrey C. Geoghegan, "Martin Noth: Retrospect and Prospect," in *The History of Israel's Traditions: The Heritage of Martin Noth*, ed. Steve L. McKenzie and Matt Patrick Graham, JSOTSup 182 (Sheffield: Sheffield Academic, 1994), 129–52, esp. 129; Sara Mandell and David N. Freedman, *The Relationship between Herodotus' History and Primary History*, SFSHJ 60 (Atlanta: Scholars Press, 1993), ix (see also 85); Paul J. Kissling, *Reliable Characters in the Primary History: Profiles of Moses, Joshua, Elijah and Elisha*, JSOTSup 224 (Sheffield: Sheffield Academic, 1996); Ehud Ben Zvi, "Looking at the Primary (Hi)story and the Prophetic Books as Literary/Theological Units within the Frame of the Early Second Temple: Some Considerations," *SJOT* 12 (1998): 26–43 (see 26: "Primary Historical Narrative"); Sara Mandell, "Primary History as a Social Construct of a Privileged Class," in *Concepts of Class in Ancient Israel*, ed. Mark R. Sneed, SFSHJ 201 (Atlanta: Scholars Press, 1999), 21–35; Anthony Abela, "Is Genesis the Introduction of the Primary History?," in *Studies in the Book of Genesis: Literature, Redaction and History*, ed. André Wénin, BETL 155 (Leuven: Peeters, 2001), 397–406; A. Graeme Auld, "Counting Sheep, Sins and Sour Grapes: The Primacy of the Primary History?," in *Sense and Sensitivity: Essays on Reading the Bible in Memory of Robert Carroll*, ed. Alastair Hunter and Philip R. Davies, JSOTSup 348 (Sheffield: Sheffield Academic, 2002), 63–72; David N. Freedman and Brian Kelly, "Who Redacted the Primary History?," in *Sefer Moshe: The Moshe Weinfeld Jubilee Volume; Studies in the Bible and the Ancient Near East, Qumran, and Post-Biblical Judaism*, ed. Chaim Cohen, Avi Hurvitz, and Shalom M. Paul (Winona Lake, IN: Eisenbrauns, 2004), 39–47; Jan-Wim Wesseliuss, "The Functions of Lists in Primary History," in *"Basel und Bibel": Collected Communications to the XVIIth Congress of the International Organization for the Study of the Old Testament, 2001*, ed. Matthias Augustin and Hermann Michael Niemann, BEATAJ 51 (Frankfurt am Main: Lang, 2004), 83–89; Wesseliuss, *The Origin of the History of Israel: Herodotus's Histories as Blueprint for the First Books of the Bible*, JSOTSup 345 (Sheffield: Sheffield Academic, 2002).

Römer that Genesis and Exodus were not found together in a single literary work before the Priestly code.³⁴

The discussion of these points is now documented in two volumes, *Abschied vom Jahwisten* and *A Farewell to the Yahwist?*³⁵ It is helpful to note that the English title is followed by a question mark in order to indicate that the “farewell to the Yahwist” is more controversial in American biblical scholarship than in its European counterpart. In the wake of the literary separation of Genesis, on the one hand, and Exodus through Kings, on the other, it has become necessary to seek new solutions to replace Noth’s previous hypothesis of the Deuteronomistic History.

The growing research on the literary development of the Pentateuch and the Former Prophets as an Enneateuch has most recently been gathered in a 2006 volume entitled *The Deuteronomistic Histories*.³⁶ It is impossible to summarize this publication, since the different contributions do not propose a new consensus. But this much can be seen: there seems to be some sympathy for speaking of Deuteronomistic Histories in the plural instead of in the singular. Some of the contributors are ready to recognize an old or original Deuteronomistic History, located in the books of Samuel and Kings, and to identify subsequent editions of later Deuteronomistic Histories. Examples of the different renditions of Deuteronomistic Histories include a version that may have extended from Exodus through Kings. Such a version of the Deuteronomistic History may eventually also have included Genesis, when the Moses story in Exodus–Joshua was later combined with the story of the ancestors in Gen 12–50. The research on the Deuteronomistic Histories is ongoing and open to revision. Yet the hypothesis of multiple Deuteronomistic Histories reaches back to the famous double theme of the Deuteronomistic History identified by Frank M. Cross. He, too, argued that the dynastic promise to David

34. Albert de Pury, “Le cycle de Jacob comme légende autonome des origines d’Israël,” in *Congress Volume Leuven 1989*, ed. John. A. Emerton, VTSup 43 (Leiden: Brill, 1991), 78–96; Thomas Römer, *Israels Väter: Untersuchungen zur Väterthematik im Deuteronomium und in der deuteronomistischen Tradition*, OBO 99 (Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 1990).

35. Gertz, Schmid, and Witte, *Abschied vom Jahwisten*; Thomas B. Dozeman and Konrad Schmid, eds., *A Farewell to the Yahwist? The Composition of the Pentateuch in Recent European Interpretation*, SymS 34 (Atlanta: Society of Biblical Literature, 2006).

36. Jan C. Gertz et al., eds., *Die deuteronomistischen Geschichtswerke: Redaktions- und religionsgeschichtliche Perspektiven zur “Deuteronomismus”-Diskussion in Tora und Vorderen Propheten*, BZAW 365 (Berlin: de Gruyter, 2006).

(2 Sam 7) and the sin of Jeroboam (1 Kgs 12) only extend through the books of Samuel to Kings, creating an early Deuteronomistic History. This early Deuteronomistic History is not present in Deuteronomy, Joshua, or Judges.³⁷ The same process of composition could account for much larger blocks of literature in the Enneateuch. The late Deuteronomistic reception of the sin of Jeroboam in Exod 32 could point to a Deuteronomistic History that starts in Exodus rather than in Deuteronomy. Finally, there are also Deuteronomistic texts in Genesis that exhibit distinctive features such as Abraham's obedience to the torah. This distinctive theme may point to a still later stage of Deuteronomistic reflection and composition, as Erik Aurelius has proposed.³⁸

The reexamination of the Noth-von Rad compromise approach to the composition of the Pentateuch and the Former Prophets extends beyond the more recent attempts to differentiate Deuteronomistic layers in Genesis through Kings. It also requires a reevaluation of Priestly texts in Genesis through Kings. In the framework of the traditional Documentary Hypothesis, P was something like a proto-Pentateuch, beginning in Gen 1 and ending in Deut 34. Today there is a growing awareness that (1) P probably did not cover the full range of the Pentateuch³⁹ and (2) that there are redactional texts in Joshua through Kings that are clearly inspired by P but not necessarily part of a Priestly composition,⁴⁰ for example, in Josh 13–21⁴¹ or in 1 Kgs 8. So, not only the D texts but also the P texts are relevant for any critical evaluation of the literary entanglement of the Pentateuch and the Deuteronomistic History. What emerges

37. Frank M. Cross, "The Themes of the Book of Kings and the Structure of the Deuteronomistic History," in *Canaanite Myth and Hebrew Epic: Essays in the History of Religion of Israel* (Cambridge: Harvard University Press, 1973), 274–89.

38. Erik Aurelius, *Zukunft jenseits des Gerichts: Eine redaktionsgeschichtliche Studie zum Enneateuch*, BZAW 319 (Berlin: de Gruyter, 2003).

39. See Lothar Peritt, "Priesterschrift im Deuteronomium?" ZAW 100 Suppl. (1988): 65–877; repr., *Deuteronomium-Studien*, FAT 8 (Tübingen: Mohr Siebeck, 1994), 123–43; Thomas Pola, *Die ursprüngliche Priesterschrift: Beobachtungen zur Literarkritik und Traditionsgeschichte von Pg*, WMANT 70 (Neukirchen-Vluyn: Neukirchener Verlag, 1995); Eckart Otto, "Forschungen zur Priesterschrift," TRu 62 (1997): 1–50.

40. See Eep Talstra, *Solomon's Prayer: Synchrony and Diachrony in the Composition of I Kings 8,14–61*, CBET 3 (Kampen: Kok Pharos, 1993).

41. Enzo Cortese, *Josua 13–21: Ein priesterschriftlicher Abschnitt im Deuteronomistischen Geschichtswerk*, OBO 94 (Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 1990).

throughout the range of current approaches to the Pentateuch and the Former Prophets is the disappearance of the separation model between the Pentateuch and the Deuteronomistic History. We probably also will have to overcome the separation between the historical and the prophetic books (Latter Prophets) because Genesis through Kings is a theologically open-ended unit: it ends with the loss of the land leaving the question of Israel's future unanswered. Readers are apparently supposed to read on, but this is another chapter.

Post-Priestly Additions in the Pentateuch: A Survey of Scholarship

One of the coincidences of the history of scholarship of the Pentateuch is that the main epochs since Johann Gottfried Eichhorn fall into periods of about one hundred years. Eichhorn's *Einleitung* offered the first version of a two-source theory,¹ approximately a century later Julius Wellhausen formulated his version of the Documentary Hypothesis,² and then again about a century later in quick succession the works of John Van Seters, Hans Heinrich Schmid, and Rolf Rendtorff appeared.³ Some have interpreted and continued to interpret these latter works as markers of a crisis in pentateuchal studies, but they actually indicate the collapse of an obsolete theoretical model for the Pentateuch, at least in the view of a rather significant strand of Hebrew Bible scholarship.⁴ The advancements of the most recent period of pentateuchal scholarship, beginning with this latest

1. Johann Gottfried Eichhorn, *Einleitung in das Alte Testament* (Leipzig: Weidmann, 1783).

2. Julius Wellhausen, *Die Composition des Hexateuch und der historischen Bücher des Alten Testaments*, 3rd ed. (Berlin: Reimer, 1899).

3. John Van Seters, *Abraham in History and Tradition* (New Haven: Yale University Press, 1975); Hans-Heinrich Schmid, *Der sogenannte Jahwist* (Zurich: TVZ, 1976); and Rolf Rendtorff, *Das überlieferungsgeschichtliche Problem des Pentateuch*, BZAW 147 (Berlin: de Gruyter, 1977).

4. Cf. the still groundbreaking work of Erhard Blum, *Studien zur Komposition des Pentateuch*, BZAW 189 (Berlin: de Gruyter, 1990), 1: "What is often called a 'crisis' should instead be greeted as a newly discovered openness, as a chance, to question in a self-critical manner and without pressing too quickly toward 'conclusions' in the form of dialogue-stopping hypotheses, and, more still, to call into question the method and perspectives that are taken for granted." Differently, e.g., Joel S. Baden, *J, E, and the Composition of the Pentateuch*, FAT 72 (Tübingen: Mohr Siebeck, 2009), 10: "This study attempts some much-needed steps to pull biblical scholarship back from the

break, have at the same time made it possible to accord increased attention to the sections of text within the Pentateuch that evidently later postdate the Priestly document. It is not novel to reckon with material in the Pentateuch that, on the one hand, is not source material, and, on the other, concerns the expansion of the Pentateuch in its final literary stages. Nevertheless, the dominant strand of scholarship since Wellhausen has accepted that the literary history of the Pentateuch essentially ended with the combination of P and JE. Furthermore, it has accepted that this combination basically provided no impetus for the production of further expansions within the Pentateuch.⁵ Wellhausen, for example, held with regard to the process of the combination of JE and P:

The activity of the redactor consists primarily in the skilled interweaving of the sources, in which he left their content as unabridged and the wording and order of the narrative as unchanged as possible. However, he was not always able to proceed without intrusions of his own. Sometimes he made additions, at times to overcome a contradiction or to cover over a seam.⁶

precipice of the perceived ‘crisis’ in pentateuchal criticism.” Unless otherwise noted, all translations are mine.

5. As significant exceptions—each within the framework of a completely different theoretical approach to the Pentateuch—mention should be made here of the works of Benno Jacob (*Das erste Buch der Tora: Genesis* [New York: Schocken, 1934]) and R. Norman Whybray (*Introduction to the Pentateuch* [Grand Rapids: Eerdmans, 1989]). Both understand the Pentateuch as the work of one author, who at the same time worked as the editor of all the traditional material and worked it into the Pentateuch.

6. Wellhausen, *Die Composition*, 2. Wellhausen reproduces here a perspective that was basically adopted ever since Astruc (Jean Astruc, *Conjectures sur les mémoires originaux dont il paroît que Moïse s’est servi pour composer le livre de la Genèse* [Brussels: Fricx, 1753]). Following Astruc, Genesis consists of two sources that Moses as the redactor reworked, to a certain degree in analogy to a “harmonie des Evangelistes” (525), in order to bring them together; see Markus Witte, *Die biblische Urgeschichte: Redaktions- und theologiegeschichtliche Beobachtungen zu Gen 1,1–11,26*, BZAW 265 (Berlin: de Gruyter, 1998), 2–3; Jan C. Gertz, “Jean Astruc and Source Criticism in the Book of Genesis,” in *Sacred Conjectures: The Context and Legacy of Robert Lowth and Jean Astruc*, ed. John Jarick, LHBOTS 457 (New York: Continuum, 2007), 190–203. Quite similarly, Eichhorn identified the work of the redactor, who had a “holy respect” for the sources he set out to combine, “without first filing down, changing, or tinkering with their expression” (*Einleitung in das Alte Testament*, 4th ed., 5 vols. [Göttingen: Rosenbusch, 1823–1824], 1:99). A concise portrayal of the view of the final redactor of the Pentateuch in the eyes of the nineteenth-century scholars appears in Witte, *Urgeschichte*, 1–16. It is remarkable that it was also possible for pentateuchal scholarship

Nonetheless, Wellhausen did not see the composition of the Pentateuch as completely finished with the process that combined JE and P. Following Julius Popper and Abraham Kuenen, Wellhausen reckoned with a “diaskeuast,”⁷ who also edited the Pentateuch further after this combination: “The diaskeuast, whom Kuenen correctly hypothesized, already had the combined composition JE+Q in front of him and subjected it to further editing.”⁸

On a related matter, it is important to note that Wellhausen emphasized on multiple occasions, in particular in *Die Composition*, that “the literary process was in reality more complicated, and the so-called supplemental hypothesis was still applicable in a subordinate role.”⁹ With regard to the Priestly document, Wellhausen speaks of “secondary and tertiary levels,”¹⁰ though it appears that he hardly considered the alternative that such secondary and tertiary elements could simply be additions to P itself, rather than belonging to the Priestly document combined with JE.

before Wellhausen to combine the final redaction of the Pentateuch with the insertion of broad sections of text. E.g., Friedrich Bleek (*Einleitung in das Alte Testament: Vierte Auflage nach der von A. Kamphausen besorgten dritten bearbeitet von J. Wellhausen*, ed. Johannes F. Bleek und Adolf H. H. Kamphausen [Berlin: Reimer, 1878], 124–25) identified the Deuteronomist as the final redactor of the Pentateuch, who was also responsible for Lev 26: “Solely our Deuteronomy was undoubtedly written from the beginning as an addition and expansion of the older historical work, which was the same that the Jehowistic redactor of the first four books of our Pentateuch received; and quite probably the author of Deuteronomy was also the final redactor of the entire Pentateuch, through whom the work obtained the extent and configuration in which it now appears to us. Because this was then combined with a new copy of the preexisting work, it can be considered that also individual [texts] in the previous books were also changed or interpolated by his hand. But in my view this is only probable with regard to the earlier ... discussed section Lev 26:2–45, whose entire tone and character are unmistakably very similar with the speech of Deuteronomy.” Wellhausen allowed these explanations to remain in the fourth edition of the *Einleitung*, which he edited, adding, however, in §§81–87 a further section entitled “Progress of Hexateuchal Criticism since Bleek’s Death.”

7. Reinhard G. Kratz, “Wellhausen,” *TRE* 35:529, explains “diaskeuast” as “‘Fort-schreibung’ [expansion] as understood today following Walther Zimmerli.”

8. Wellhausen, *Die Composition*, 329.

9. Wellhausen, *Die Composition*, 207. On this see Shimon Gesundheit, *Three Times A Year: Studies in Festival Legislation in the Pentateuch*, FAT 82 (Tübingen: Mohr Siebeck, 2012), 233 n. 16 with references to similar declarations on pp. 135, 137, 178–79, 192.

10. Wellhausen, *Die Composition*, 178 n. 1.

The term *diaskeuast* employed by Wellhausen did not, however, originate with Kuenen.¹¹ It instead goes back—in application to the biblical texts¹² and in the more narrowly disseminated form *diaskeue*—to Popper,¹³ who also appears in Wellhausen's *Die Composition* explicitly as “the learned Rabbi.”¹⁴ Popper published a work on

11. On the relationship between Wellhausen and Kuenen, see Rudolf Smend, “Kuenen und Wellhausen,” in *Abraham Kuenen (1828–1891): His Major Contributions to the Study of the Old Testament*, ed. P. D. Dirksen and Aad van der Kooij (Leiden: Brill, 1993), 125; Smend, “The Work of Abraham Kuenen and Julius Wellhausen,” in *From Modernism to Post-modernism (The Nineteenth and Twentieth Centuries)*, vol. 3 of *Hebrew Bible/Old Testament: The History of Its Interpretation*, ed. Magne Sæbø (Göttingen: Vandenhoeck & Ruprecht, 2013), 424–53.

12. It appears prominently in Friedrich von Schlegel (e.g., *Geschichte der Poesie der Griechen und Römer* [Berlin: Unger, 1798], 170) and plays an important role in classical philology, cf. August Ernst Wilhelm Gräfenhan, *Geschichte der Klassischen Philologie im Alterthum* (Bonn: König, 1843), 264: “With regard to Homeric poetry, these are through the diaskeuasts not only in individual verses but also through the insertion of larger sections via interpolation, which the old grammarians have in part uncovered with great acumen.”

13. Though not, however, exclusively, see John Van Seters, *The Edited Bible: The Curious History of the “Editor” in Biblical Criticism* (Winona Lake, IN: Eisenbrauns, 2006), 237 n. 173. Wellhausen was also familiar with the term from Otto Thenius, *Die Bücher Samuels erklärt*, 2nd ed. (Leipzig: Hirzel, 1864) (“masoretische Diaskeuase”). On Popper see Ran HaCohen, *Reclaiming the Hebrew Bible: German-Jewish Reception of Biblical Criticism*, *Studia Judaica* 56 (Berlin: de Gruyter, 2010), 137–41.

14. Wellhausen, *Die Composition*, 146. Wellhausen offers a longer discussion of Popper in his revision of Bleek's *Einleitung in das Alte Testament* (155–56): “The result of his investigation comes to the conclusion that the description of the building of the tabernacle (Exod 35–49) and the dedication of the priests (Lev 8–10) are later than the prescriptions concerning the two matters in Exod 25–31—actually they only reach the form in which we now have them considerably later than the Babylonian captivity. It is written in quite circular fashion, furthermore the question itself is complicated because the author does not build his hypothesis only on the Masoretic, but also on the Samaritan text and especially the Greek translation.... The earliest layer is not—as was generally accepted before him—made of one piece, but the product of a long continuous *Diaskeue*, as Popper calls it, in which finally the scribes following Ezra were the last to lay a hand upon it.... It is very regrettable that the German scholars investigating the *Composition* after the time of Popper have gained no insight from his book or at least excused themselves from the study of it: only Geiger (*Jüd. Zeitschr. für Wiss. und Leben* I S. 122ff.) and Graf (*die Geschichtsbücher des A.T. S. 86–87*) constitute exceptions. This is totally unjust. I must be very mistaken in my estimation of Popper's book if it does not go on to exercise considerable influence.”

Exod 25–40 in 1862.¹⁵ He argues “that the second part (namely, the report of the tent of meeting, i.e., Exod 35–40) is a later sprouting trunk of our description (namely, Exod 25–29).”¹⁶ Popper compares, on the one hand, Exod 25–31 with 35–40 and portrays the “amplifications” in Exod 35–40 as interpretations: “it is almost the traditional material, but the content itself that appears here in its fuller and more correct form has been interpreted and developed more richly and precisely.”¹⁷ On the other hand, he lays great value on the text-critical differences between the Samaritan Pentateuch and the Septuagint and combines these phenomena with the latest expansions in the Pentateuch. As a result, he interprets the “additions and interpolations in the Samaritan Pentateuch as the extensions and degenerations from the pentateuchal diaskeuast.”¹⁸ In any case, Popper’s book marks the first comprehensive evaluation of the post-Priestly interpretative work in the Pentateuch. Popper still views the Priestly document as the oldest source of the Pentateuch, however, even though he sees the process of its extensions continuing to 260 BCE.¹⁹ In fact, Popper basically views the redaction-historical developments of the Pentateuch through the auspices of a model of decadence, though he recognizes the importance of these late amplifications:

The period of actual creative composition thus lay far in the past [in relation to] all these reshaping and changes, so we have here as well nothing more than stylistic and copyediting activities, with the mere formal finishing of the received material concerning its diaskeuastic revisions and arrangements. Yet in this period the Pentateuch receives its formal shape, which should provide scholarship with a much larger field of activity than one usually is inclined to accept.²⁰

15. Julius Popper, *Der biblische Bericht über die Stiftshütte: Ein Beitrag zur Geschichte der Composition und Diaskeue des Pentateuch* (Leipzig: Hunger, 1862).

16. Popper, *Der biblische Bericht*, 123. See on Popper also Hans Utzschneider, *Das Heiligtum und das Gesetz: Studien zur Bedeutung der sinaitischen Heiligtumstexte (Ex 25–40; Lev 8–9)*, OBO 77 (Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 1988), 30; Gesundheit, *Three Times a Year*, 232–34; Thomas Römer, “‘Higher Criticism’: The Historical and Literary-Critical Approach—with Special Reference to the Pentateuch,” in Sæbø, *From Modernism to Post-modernism*, 421–22.

17. Popper, *Der biblische Bericht*, 147. Cf. Utzschneider, *Das Heiligtum*, 31.

18. Popper, *Der biblische Bericht*, 67.

19. Popper, *Der biblische Bericht*, 7.

20. Popper, *Der biblische Bericht*, 73.

Like Wellhausen, Kuenen also read Popper. Kuenen adopted from him the term *diaskeue*:

The redaction of the Hexateuch, then, assumes the form of a continuous *diaskeue* or *diorthosis*, and the redactor becomes a collective body headed by the scribe who united the two works ... into a single whole, but also including the whole series of his more or less independent followers.²¹

A certain consensus was then established that, on the one hand, emphasized the final compiler's passivity and lack of originality and, on the other, however, granted the presence of still later expansions or a post-final-redaction incorporation of specific individual source texts.²² This position appears, for example, in Hermann Gunkel's commentary on Genesis. He holds to the notion of a final redactor, whom he views—like the authors of the source documents—more so as a collector:

P's attempt to suppress the old failed; and a pious hand brought about a combination of JE and P. This final collection took place with extraordinary fidelity, especially to P; its author attempted wherever possible to prevent any granule of P from falling to the ground.²³

What did this final collector himself formulate? Gunkel draws a modest conclusion:

21. Abraham Kuenen, *An Historico-critical Inquiry into the Origin and Composition of the Pentateuch*, trans. Phil H. Wicksteed (London: Macmillan, 1886), 315, cf. Kuenen, *De Godsdienst van Israel II* (Harlem: Kruseman, 1870), 265–66.

22. The acceptance of the sporadic appearance of post-Priestly portions of text in the Pentateuch can be found in some contributions also from more recent, though also more traditionally oriented pentateuchal scholars in the German-speaking discussion, cf. e.g., Horst Seebass, "Gehörten Verheissungen zum ältesten Bestand der Väter-Erzählungen?," *Bib* 64 (1983): 207 n. 48; Werner H. Schmidt, *Exodus*, BK 2.1 (Neukirchen-Vluyn: Neukirchener Verlag, 1988), 318; Peter Weimar, *Untersuchungen zur Redaktionsgeschichte des Pentateuch*, BZAW 146 (Berlin: de Gruyter, 1977), 142; Weimar, *Die Berufung des Mose: Literaturwissenschaftliche Analyse von Exodus 2,23–5,5*, OBO 32 (Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 1980), 16, 287, 321; Siegfried Mittmann, *Deuteronomium 1:1–6:3 literarkritisch und traditionsgehistorisch untersucht*, BZAW 139 (Berlin: de Gruyter, 1975), 56.

23. Hermann Gunkel, *Genesis: Übersetzt und erklärt*, HKAT 1.1 (Göttingen: Vandenhoeck & Ruprecht, 1901), xcix.

We are able to infer very little in Genesis that with more or less certainty came from his hand: a few harmonizing glosses or fills like 10:24; 15:7, 8, 15; 27:46; in 35:13, 14; further retouching in 6:7; 7:7, 22, 23; further 7:3a, 8, 9; then the distinction between Abram and Abraham, Sarai and Sarah also in J and E among others.²⁴

After the combination of JE and P, Genesis, or the Pentateuch as the case may be, had essentially received its shape. However, several later additions can be identified.

With this the activity of the redactors in Genesis is basically finished. But in individual [details] the work (diaskeuase) on the text continued still much longer. We see small revisions in chapter 34 and in the numbers of the genealogies, in which the Jewish, the Samaritan, and the text of the Greek translation deviate from one another. Larger expansions and revisions still took place in 36 and 46:8–27; the last final insertion is the narrative of Abraham's victory over the four kings; a "midrash"-like legend from the latest period.²⁵

In his *History of Pentateuchal Traditions* (original 1948), Martin Noth emphasized even more strongly that the combination of JE and P meant the completion of the Pentateuch:

The formation of the entire Pentateuch, that is, the insertion of the J narrative that had been expanded by numerous E elements into the literary frame of P, is no longer of great relevance in terms of tradition history. It concerns a purely literary process that neither brought in new points of view in the editing of material nor interpretations of the material. It instead only amounts to a process of addition and is only important insofar as its result was the completed Pentateuch, as it comes to us as an extant entity from which we can extract the earlier stages through more or less certain analysis.²⁶

This naturally does not categorically exclude that individual texts of the Pentateuch could first have been added after the combination of P and JE, but this possibility is limited to a few pieces that have no relation to one

24. Gunkel, *Genesis*, xcix.

25. Gunkel, *Genesis*, xcix.

26. Martin Noth, *Überlieferungsgeschichte des Pentateuch* (Stuttgart: Kohlhammer, 1948), 267–68.

another; they are neither of great compositional nor theological importance.

This conviction appears in various standard introductions to the Old Testament from the postwar (World War II) period. Namely, the Pentateuch essentially consists of the composition of source documents, though it also contains individual pieces that were first added after this decisive compositional step. For example, Otto Eissfeldt identifies Gen 14 and 18:22b–33, as well as certain legal texts, as post-Priestly additions.²⁷ Georg Fohrer in like manner discusses the possibility of a post-Priestly origin for individual texts outside the source layers such as Gen 14; Exod 15:1–19; 19:3b–8; and Deut 32—especially Exod 15:1–19 and Deut 32. He sees Gen 14 as an absorbed source text, and he dates Exod 19:3b–8 to the late monarchic period.²⁸

It was only in the late 1970s—especially because of the effects of the crisis²⁹ in pentateuchal scholarship perceived in the immediately preceding years—that the introductory literature to the Old Testament includes programmatic statements on the necessity of placing more value on the work of the combination of the traditional pentateuchal sources as a literary-historical procedure with an importance all its own.³⁰ For example, Rudolf Smend notes:

The theological and intellectual-historical status of this combination [i.e., of the source documents] forbids evaluating it quasi in passing and dedicating interest more or less solely to the works extracted through the separation of sources that the redactor had before him. It would be valid

27. Eissfeldt, *Einleitung in das Alte Testament und Einschluss der Apokryphen und Pseudepigraphen sowie der apokryphen und pseudepigraphenartigen Qumran-Schriften: Entstehungsgeschichte des Alten Testaments*, 3rd ed., NTG (Tübingen: Mohr Siebeck, 1964), 280.

28. Fohrer, *Einleitung in das Alte Testament*, 10th ed. (Heidelberg: Quelle & Meyer, 1965), 202–6.

29. Cf. above, n. 6.

30. Frequently cited has been the dictum from Hans-Wilhelm Hertzberg, “Ist Exegese theologisch möglich?,” in *Beiträge zur Traditionsgeschichte und Theologie des Alten Testaments* (Göttingen: Vandenhoeck & Ruprecht, 1962), 101–17: “still missing is the book about the author of it all, the final redactor” (111; cf., e.g., Jan C. Gertz, *Tradition und Redaktion in der Exoduserzählung: Untersuchungen zur Endredaktion des Pentateuch*, FRLANT 186 [Göttingen: Vandenhoeck & Ruprecht, 2000], 13).

to apply and extend the results of the “Documentary Hypothesis” much stronger in the reverse sense.³¹

Smend explicitly points out that at the combination of P and JE, one should also expect the insertion of new text portions: “The school that we call R did not limit itself to the joining of the received source documents. They instead subjected the new whole to a further redaction.... This is one of the most important domains for the Supplementary Hypothesis.”³²

With this judgment, Smend explicitly follows Kuenen, whose redactor is conceived as a “Collective whose head is the one that combined the two ... sources into a whole, to which, however, in addition a whole number of more or less independent successors belonged.”³³

Smend explicitly pointed out the long-term development of the legal texts in the Torah, which should also be evaluated from this perspective. In addition to the works of Van Seters, Schmid, and Rendtorff, there was also the often-forgotten contribution by Eberhard Ruprecht from 1974, which is important for the history of scholarship. He develops a complex analysis of the post-Priestly growth of the original Priestly document ahead of the primary works of the above-named three authors in exemplary fashion on Exod 16:

The oldest literary level is the Priestly narrative in vv. 1–3, 6–7, 9–27, 30, 35a. The next layer is a Deuteronomistic redaction in 15:25b–26; 16:4–5, 28–29, 31–32. It already has the combination of JE and P before it. The latest layer is an addition in Priestly style in vv. 33–34.... This is quite a striking conclusion because such a stratification has not yet been observed in pentateuchal scholarship.³⁴

While Wellhausen had already suspected post-Priestly exegesis in the context in Exod 16:4–5, he went on to conclude that it was instead an older JE

31. Smend, *Die Entstehung des Alten Testaments*, ThW 1 (Stuttgart: Kohlhammer, 1978), 38.

32. Smend, *Die Entstehung*, 46.

33. Abraham Kuenen, *Historisch-kritische Einleitung in die Bücher des alten Testaments hinsichtlich ihrer Entstehung und Sammlung*, vol. 1.1 (Leipzig: Mathes, 1887), 302; cf. Gertz, *Tradition und Redaktion*, 16.

34. Eberhard Ruprecht, “Stellung und Bedeutung der Erzählung vom Manawunder (Ex 16) im Aufbau der Priesterschrift,” *ZAW* 86 (1974): 302.

fragment worked into this location: "Should it then be that the diaskeuast originally divined this from the report of Q and placed it in vv. 4–5? Such critical insight cannot really be expected from him."³⁵ This argument is not actually based on the evidence; it arises from a particular preunderstanding what a diaskeuast can or cannot do.³⁶

While Ruprecht presented a limited textual example of the phenomenon of post-Priestly redactional activity, David J. A. Clines's *The Theme of the Pentateuch* develops a completely different direction.³⁷ His book is noteworthy in that it is the first time that the specific redactional outlook of the present form is investigated with regard to the Pentateuch. Nonetheless, while Clines's monograph was synchronically rather than redaction-historically oriented,³⁸ he still explicitly formulated the investigation for the final redactor.³⁹ Yet the classical conception of a compiler that only intervenes minimally is quite operative in Clines's work: "First, the final redactor can, with minimal interference, re-shape the total impact of his material.... Secondly, it is not necessary to posit that the shape of the final work was *intended* by the redactor."⁴⁰

Clines identifies the theme of the Pentateuch as the following:

The theme of the Pentateuch is the partial fulfilment—which implies also the partial non-fulfilment—of the promise to or blessings of the patriarchs. The promise of blessing is both the divine initiative of the world where human initiatives always lead to disaster, and are an affirmation of the primal divine intentions for humanity.⁴¹

35. Wellhausen, *Die Composition*, 329.

36. Rudolf Smend Sr., *Die Erzählung des Hexateuch auf ihre Quellen untersucht* (Berlin: Reimer, 1912), 149, also recognizes the work of a diaskeuase in Exod 16.

37. Clines, *The Theme of the Pentateuch*, 2nd ed., JSOTSup 10 (Sheffield: Sheffield Academic, 1997).

38. It is noteworthy that the search for the redactional outlook of the present Pentateuch is also treated as a synchronic question in more recent scholarship; cf., e.g., Ernest Nicholson, *The Pentateuch in the Twentieth Century: The Legacy of Wellhausen* (Oxford: Oxford University Press, 1997), 249–68.

39. Clines, *Theme*, 102.

40. Clines, *Theme*, 25, emphasis original.

41. Clines, *Theme*, 30.

With regard to the historical location of the redactor, Clines remains considerably vague. He locates the composition of the Pentateuch in the Babylonian exile.⁴²

At the same time as Clines's volume, the first publication in the German-speaking discussion actually dedicated to the discussion of the redactor as such appeared, namely, Herbert Donner's study on the redactor.⁴³ In contrast to Clines, Donner interprets the redactor neither as an actively or passively creative spirit, but rather as a compiler whose task consisted of "combining the literarily existing texts with one another in such a way that a new text emerges from multiple texts with the preservation of everything essential and with as few omissions as possible."⁴⁴ The redactors were "not inventors of great theological designs, but precritical scribal exegetes." Donner's study was epochal in the sense that it was completely focused on the phenomenon and the inner logic of redaction.⁴⁵ It was limited, however, by the preconceived acceptance by the essay of the limited nature of what a redactor could be conceived as doing, namely, compiling existing textual materials as passively as possible. Donner's understanding is supported by the choice of objects he chose to investigate with regard to the nature of the redactor's work as combining preexisting source texts. Donner begins with a discussion of Exod 14 rather than texts that evince productive redactional interpretations of preexisting material.

Erhard Blum, in his *Studien zur Komposition des Pentateuch* from 1990, is the first in the history of scholarship to accord substantial attention to post-Priestly textual growth in the Pentateuch.⁴⁶ This is true in spite of the

42. Clines, *Theme*, 103: "as is generally assumed, the redaction of the Pentateuch took place in Babylonia"; cf. also—and more emphatically—104: "The Pentateuch, even if it was composed after 539 BCE, is still an exilic work."

43. Herbert Donner, "Der Redaktor: Überlegungen zum vorkritischen Umgang mit der Heiligen Schrift," in *Aufsätze zum Alten Testament aus vier Jahrzehnten*, BZAW 224 (Berlin: de Gruyter, 1994), 259–85.

44. Donner, "Der Redaktor," 262–63, cf. the summary, 283–85.

45. Donner, "Der Redaktor," 282.

46. At the same time Jeremy Hughes, *Secrets of Times: Myth and History in Biblical Chronology*, JSOTSup 66 (Sheffield: Sheffield Academic, 1990), 93, points out a "post-priestly revision" of the royal chronology. On the issue of the suggestion of a Hasmonaeen redaction in Gen 5, the chapter that provides the basis for calculating universal time (cf. Konrad Schmid, *Erzväter und Exodus: Untersuchungen zur doppelten Begründung der Ursprünge Israels in den Geschichtsbüchern des Alten Testaments*, WMANT 81 [Neukirchen-Vluyn: Neukirchener Verlag, 1999], 19–22), see

fact that he separates this stage from the two earlier primary steps in terms of classification. The first main section of his book is introduced as “Part One: The Pre-Priestly Composition (KD).”⁴⁷ This is followed by “Part Two: The Priestly Composition (KP),”⁴⁸ while the final section receives the heading “Outlook: On the Way to the Canonical ‘Final Form.’”⁴⁹ Even though Blum generally connects the essential aspects of the formation of the Pentateuch to P’s incorporation into the pre-Priestly texts, he still emphasizes the programmatic importance of the post-Priestly development:

Even if we might see the shaping of the principle Priestly composition as the decisive formative step on the way to the canonical Torah, this is by no means to be equated with its “final form.” The shaping of tradition continues considerably. For one—there can hardly be controversy about this—within the Priestly circles “its” material was perpetuated, actualized, etc. for a longer period of time. Furthermore, however, there were also more or less punctiliar revisions/additions from the circle that was in the broadest sense made up of “Deuteronomistic” tradents.⁵⁰

He refers initially to the work of Ruprecht on Exod 16,⁵¹ but also to that of Norbert Lohfink on Exod 15:25b, 26.⁵² Blum himself identifies further post-Priestly expansions in the Aaron components of Exod 4 and the related texts in Exod 18,⁵³ in the texts of what he calls the “Josh 24 redaction,”⁵⁴ which begins in Gen 35:1–7 and is carried forward by the

Ronald Hendel, “A Hasmonean Edition of MT Genesis? The Implications of the Editions of the Chronology in Genesis 5,” *HeBAI* 1 (2012): 448–64.

47. Blum, *Komposition des Pentateuchs*, 7.

48. Blum, *Komposition des Pentateuchs*, 219.

49. Blum, *Komposition des Pentateuchs*, 361.

50. Blum, *Komposition des Pentateuchs*, 361.

51. Blum, *Komposition des Pentateuchs*, 361; cf. Ruprecht, “Stellung und Bedeutung.”

52. Norbert Lohfink, “‘Ich bin Jahwe, dein Arzt’ (Ex 15,26): Gott, Gesellschaft und menschliche Gesundheit in einer nachexilischen Pentateuchbearbeitung (Ex 15,25b.26),” in *‘Ich will euer Gott werden’: Beispiele biblischen Redens von Gott*, SBS 100 (Stuttgart: Katholisches Bibelwerk, 1981), 11–73.

53. Blum, *Komposition des Pentateuchs*, 362.

54. Blum, *Komposition des Pentateuchs*, 363, cf. also Blum, “Die literarische Verbindung von Erzvätern und Exodus: Ein Gespräch mit neueren Endredaktionshypothesen,” in *Abschied vom Jahwisten: Die Komposition des Hexateuch in der jüngsten Diskussion*, ed. Jan C. Gertz, Konrad Schmid, and Markus Witte, BZAW 315 (Berlin:

series of declarations in Gen 50:25b, 26; Exod 13:19; and Josh 24:32,⁵⁵ as well as the “Mal’ak redaction,”⁵⁶ with which one “can reckon with Exod 14:19a; 23:20ff.*; (32:34aß) 33:2, 3b*, 4; 34:11–27, and Judg 2:1–5.”⁵⁷

In his *Komposition der Vätergeschichte* from 1984, Blum was still quite hesitant to identify post-Priestly portions of text, except for texts like Gen 14,⁵⁸ and also the series connected with Josh 24,⁵⁹ in which Blum deduced a clear relationship to KP. Blum only later came to designate especially the D texts in Genesis, like Gen 24, for example, which he in 1984 assigned to D, as post-Priestly.⁶⁰

Christoph Levin’s work accentuates the post-Priestly redactional activities even more clearly than Blum, calling them “post-end-redactional.” Levin continues to view the most important redactional step in the process of the composition of the Pentateuch as the—easily misunderstood⁶¹—“end redaction,” which combined J and P. Its activity touches on the shared form and equal value of J and P.⁶² Nevertheless, it is still the case that:

de Gruyter, 2002), 125, as well as Markus Witte, “Die Gebeine Josefs,” in *Auf dem Weg zur Endgestalt von Genesis bis II Regum: Festschrift Hans-Christoph Schmitt zum 65 Geburtstag*, ed. Martin Beck and Ulrike Schorn, BZAW 370 (Berlin: de Gruyter, 2006), 139–56.

55. Blum, *Komposition des Pentateuchs*, 363.

56. Blum, *Komposition des Pentateuchs*, 377.

57. Blum, *Komposition des Pentateuchs*, 363.

58. Erhard Blum, *Die Komposition der Vätergeschichte*, WMANT 57 (Neukirchen-Vluyn: Neukirchner Verlag, 1984), 462–64 n. 5.

59. Blum, *Die Komposition der Vätergeschichte*, 44–61.

60. Blum, “Die literarische Verbindung,” 140–44.

61. In light of the presence of “post-end-redactional” texts in the Pentateuch, the use of the designation “end redaction” for the process of the combination of J and P is a contradiction in terms. Cf. also Blum, *Komposition des Pentateuch*, 380: “There is no ‘end redaction.’” Similarly, Christian Frevel, in *Einleitung in das Alte Testament*, ed. Erich Zenger and Christian Frevel, 8th ed. (Stuttgart: Kohlhammer, 2012), 148. Gertz explains the terminological use as follows: “The degree to which the merging of the two text complexes [i.e., the Priestly and the non-Priestly] is reckoned with as the process that definitively marked the formation of the present canonical text, then it should be called the end redaction. The term end redaction would be understood, then, neither to be responsible for the text-critically mediated ‘final text,’ nor does the use of the term contain a presupposition about whether it is to be understood as addressing the combination of independent narrative works or one of the two entities as an end-redactional editorial layer” (*Tradition*, 10).

62. Christoph Levin, *Der Jahwist*, FRLANT 157 (Göttingen: Vandenhoeck & Ruprecht, 1993), 437.

The combination of the Yahwist and the Priestly document does not even come close to bringing the history of the Pentateuch to a close. One of the surprises that has resulted from our investigation is the considerable extent of the text that was added after the end redaction. The established designation “end redaction” cannot be taken literally. This is not solely the case for the legal portions of the books of Exodus to Numbers. The movements concerned with theodicy, those that are moralizing, and the wisdom tendencies in the narratives of Genesis were largely added after the combination of the Yahwist and the Priestly document. Included are also those layers that the Documentary Hypothesis has to this point attributed to the “Elohist.” Also the nonpriestly promises to the ancestors, to the extent that they do not come from a Yahwistic redactor, were first inserted subsequent to the end redaction. Further post-end-redactional are the system of the twelve tribes, the apologetic in the cycle of the Egyptian plagues, and a large part of the wilderness traditions. Also the promise of the land and the conquest of the land receive their present meaning quite late. The current Pentateuch to a great degree first came about through post-end redactional additions.⁶³

The final statement applies in a special way to more recent scholarly contributions that place the literary combination of the nonpriestly ancestral and exodus traditions only after the composition of the Priestly document.⁶⁴

63. Levin, *Der Jahwist*, 440–41, cf. also Levin, *Das Alte Testament* (Munich: Beck, 2001), 81–85.

64. Cf. Albert de Pury, “Le cycle de Jacob comme légende autonome des origines d’Israël,” in *Congress Volume Leuven 1989*, ed. John A. Emerton, VTSup 43 (Leiden: Brill, 1991), 78–96; Schmid, *Erzväter*; Gertz, *Tradition und Redaktion*, 381–88; Eckart Otto, *Das Deuteronomium im Pentateuch und im Hexateuch*, FAT 30 (Tübingen: Mohr Siebeck, 2000); Otto, *Mose: Geschichte und Legende* (Munich: Beck, 2006); Otto, *Das Gesetz des Mose* (Darmstadt: Wissenschaftliche Buchgesellschaft, 2007); Jean-Louis Ska, *Introduction to Reading the Pentateuch* (Winona Lake, IN: Eisenbrauns, 2006), 196–202; critiqued by, e.g., Thomas B. Dozeman, “The Commission of Moses and the Book of Genesis,” in *A Farewell to the Yahwist? The Composition of the Pentateuch in Recent European Interpretation*, ed. Thomas B. Dozeman and Konrad Schmid, SymS 34 (Atlanta: Society of Biblical Literature, 2006), 107–29; John Van Seters, “The Patriarchs and the Exodus: Bridging the Gap between Two Origin Traditions,” in *The Interpretation of Exodus in Honour of Cornelis Houtman*, ed. Riemer Roukema et al., CBET 44 (Leuven: Peeters, 2006), 1–15; Hans-Christoph Schmitt, “Erzväter- und Exodusgeschichte als konkurrierende Ursprungslegenden Israels—ein Irrweg der Pentateuchforschung,” in *Die Erzväter in der biblischen Tradition: Festschrift für Matthias Köckert*, ed. Anselm C. Hagedorn and Henrik Pfeiffer, BZAW 400 (Berlin: de Gruyter, 2009), 241–66; Graham I. Davies, “The Transition from Genesis to Exodus,” in *Genesis, Isaiah*

While this post-Priestly redaction already had a model for its activity in the Priestly document, which unquestionably presupposed the combination of the ancestors and the exodus and from this perspective can be reckoned as the first author of a proto-Pentateuch in terms of its content.⁶⁵

“The two recognizable narratives in Exod 1–14 (15) were combined in the end redaction. This is characterized first off by the fact that it attempts to preserve its sources, to the degree they can be recognized, as completely as possible and according to their wording.” The end redaction attempts, at the same time, “to combine the preexisting narratives into an overarching view through its own expansions.”⁶⁶

In reality, Jan Gertz apportions extensive original formulations to the end redaction (e.g., Exod 1:8–10; 3:12–15*, 18–20; 4:1–17, 21–23, 27–31; 5:1–6:1*; 8:21–27; 9:15–23*; 10:21–27; 12:18–20, 42–51); while the “expansions to the end redactional text”⁶⁷ are identified as rather small scale (the most extensive passages according to Gertz are Exod 1:1–6 and Exod 12:14–17).⁶⁸ Markus Witte draws a comparable picture for Gen 1–11. He also views the end redactor as textually productive, on the one hand, taking over preexisting texts into his primeval history⁶⁹ and, on the other, inserting a series of his own formulations into the text that he arranges.⁷⁰

The post-Priestly texts of the Pentateuch (and Hexateuch) receive special attention and importance from Eckart Otto and Reinhard Achenbach,

and *Psalms A Festschrift to Honour Professor John Emerton for His Eightieth Birthday*, ed. Katharine J. Dell, Graham I. Davies, and Yee Von Koh, VTSup 135 (Leiden: Brill, 2010), 59–78.

65. Cf. esp. Albert de Pury, “P^s as the Absolute Beginning,” in *Les dernières rédactions du Pentateuque, de l'Hexateuque et de l'Ennéateuque*, ed. Thomas Römer and Konrad Schmid, BETL 203 (Leuven: Peeters, 2007), 99–128; repr., *Die Patriarchen und die Priesterschrift: Les Patriarches et le document sacerdotal; Gesammelte Studien zu seinem 70. Geburtstag; Recueil d'articles, à l'occasion de son 70e anniversaire*, ed. Jean-Daniel Macchi, Thomas Römer, and Konrad Schmid, ATANT 99 (Zurich: TVZ, 2010), 13–42.

66. Gertz, *Tradition und Redaktion*, 391.

67. Gertz, *Tradition und Redaktion*, 394–96.

68. Gertz, *Tradition und Redaktion*, 394–96.

69. E.g., Gen 6:1–4 and diverse lists, cf. Witte, *Urgeschichte*, 334. For a post-Priestly date for Gen 6:1–4, see Walter Bührer, “Göttersöhne und Menschentöchter: Gen 6,1–4 als innerbiblische Schriftauslegung,” *ZAW* 123 (2011): 495–515.

70. E.g., Gen 2:9b–15 as well as the numerous redactional elements in the flood and tower of Babel narratives, Witte, *Urgeschichte*, 334.

even though they do not clearly define the content and diachronic order of both the post-Priestly Pentateuch and the Hexateuch redactions:

The conceptions of the primary Dtr redactor of Deuteronomy (DtrD) and the Dtr author who combined Deuteronomy and the book of Joshua (DtrL) play key roles in the post-Priestly conceptions of the Pentateuch and Hexateuch. The Pentateuch and Hexateuch were developed from Deuteronomy with the integration of the Priestly document.... This complex redactional process need in no way be attributed to only one author. It is more likely to have been the result of a school tradition. This is supported by insertions in the spirit of the Hexateuch redaction into the Pentateuch redaction, which itself is later than the Hexateuch redaction, which react to the Pentateuch and the reverse.⁷¹

At the same time, the Hexateuch and Pentateuch redactions are conceptionally quite different in outlook:

The author of the Hexateuch presents a broad Israelite understanding of the land of Israel that includes the inhabitants of the ancient state of Israel with its center in Shechem (Josh 24). In the Pentateuch redaction, the reduced Judean diaspora perspective connected to Ezra prevails. It represses the salvific importance of the land in favor of the Torah. "Israel" is the place where the law is fulfilled. The written Torah assumes the role of the Mosaic mediation of the law so that only law that can be reckoned Mosaic is accorded authority. After the conclusion of the Sinai pericope, controversial laws like those concerning the inheritance rights of daughters (Num 27:1–11), also the controversial rationales for the responsibilities of priests, Levites ... and the laity (Lev 10; Num 16–18*) are clarified post-redactionally in Leviticus and Numbers until the Pentateuch is finally closed and no longer expanded in the late fourth century B.C.⁷²

According to Achenbach, the book of Numbers as a whole is a literary product of the Pentateuch and Hexateuch redactions as well as a further

71. Otto, *Das Deuteronomium im Pentateuch*, 243–44, cf. also Otto, "Pentateuch," RGG 6:1097: "Key to the compositional history of the Pentateuch is the combination of Deut and P into a Pentateuch. The tensions between their different theologies spur the process of scribal mediation between them in the postexilic period through a hexateuchal and a pentateuchal redaction ... whose result is the Pentateuch."

72. Otto, "Pentateuch," 1101.

theocratic editing: “The pre-Dtr material of the book of Numbers is from then on only accessible as part of the Hexateuch, its preservation comes as a result of a Hexateuch redaction. As a result an abundance of traditions are preserved that the Deuteronomists had omitted.”⁷³

Thomas Römer similarly remarks:

Apparently these texts could at that point only be admitted to the book of Numbers because the other four books had already achieved proto-canonical status. In reality, Lev 26:46, or as the case may be Lev 27:43, clearly close the Sinai revelation.... Afterward, the Sinai pericope was expanded by Num 1–10 and this lengthening was added with a new superscription.⁷⁴

The approach taken by Achenbach and Römer to the book of Numbers corresponds, *mutatis mutandis*, to the results yielded by Christophe Nihan’s analysis of the book of Leviticus. He still finds portions of the original Priestly layer in Leviticus, whose end he detects in Lev 16,⁷⁵ and to which he allocates the continuous context of Leviticus in Lev 1–3; 8–9; and 11–15. However, it is especially in the Holiness Code (Lev 17–26) that

73. Reinhard Achenbach, “Numeri und Deuteronomium,” in *Das Deuteronomium zwischen Pentateuch und Deuteronomistischem Geschichtswerk*, ed. Eckart Otto and Reinhard Achenbach, FRLANT 206 (Göttingen: Vandenhoeck & Ruprecht, 2004), 124.

74. Thomas Römer, “Das Buch Numeri und das Ende des Jahwisten: Anfragen zur ‘Quellenscheidung’ im vierten Buch des Pentateuchs,” in Gertz, Schmid, and Witte, *Abschied vom Jahwisten*, 223; cf. also Reinhard G. Kratz, “The Pentateuch in Current Research: Consensus and Debate,” in *The Pentateuch: International Perspectives on Current Research*, ed. Thomas B. Dozeman, Konrad Schmid, and Baruch J. Schwartz, FAT 78 (Tübingen: Mohr Siebeck, 2011), 54: “In Numbers we have very few traces of a pre-Priestly tradition. This, however, does not mean that the book as a whole can be declared a post-Priestly document.” See further Horst Seebass, “Pentateuch,” *TRE* 26:203, for whom Numbers is essentially post-Priestly. A good overview of the discussion is offered by Christian Frevel, “The Book of Numbers: Formation, Composition, and Interpretation of a Late Part of the Torah: Some Introductory Remarks,” in *Torah and the Book of Numbers*, ed. Christian Frevel, Thomas Pola, and Aaron Scharf, FAT 2/62 (Tübingen: Mohr Siebeck), 1–37.

75. Christophe Nihan, *From Priestly Torah to Pentateuch: A Study in the Composition of the Book of Leviticus*, FAT 2/25 (Tübingen: Mohr Siebeck, 2006), 20–68, cf. on the discussion also Jean-Louis Ska, “Le récit sacerdotal: Une ‘histoire sans fin’?” in *The Books of Leviticus and Numbers*, ed. Thomas Römer, BETL 215 (Leuven: Peeters, 2008), 631–53.

post-Priestly expansion becomes palpable, and it should be interpreted in connection with the formation of the first edition of a Pentateuch:

H was actually conceived from the beginning in the prospect of a syn-optic reading of the so-called “legal” codes comprised within the Torah/Pentateuch. This observation, as well as the nature of the process of inner-biblical exegesis reflected in H, demonstrates that the composition of this code should be related to a first edition of the Pentateuch, as suggested by E. Otto.... Against E. Otto the classical observation of H’s distinctive terminology and theology indicates that H is not simply the work of a “pentateuchal redactor,” but rather a distinct Priestly scribal school, as argued by I. Knohl and J. Milgrom, to which the editing of the Priestly document in Gen 1–Lev 16 was entrusted at the time of P’s inclusion into the Pentateuch.⁷⁶

Nihan works out a line of thought that was developed earlier by Israel Knohl, who finds numerous H insertions in the Pentateuch and saw H as the end redaction of the Pentateuch.⁷⁷ Otto presents a quite similar argument, “that the Holiness Law can be traced back to the authors of the Pentateuch redaction.”⁷⁸ In a detailed study on Lev 25:44–46,⁷⁹ Bernard Levinson shows how this text draws both on the manumission law in the Covenant Code and on Exod 1:13–14 (P) and thus makes the argument that Lev 25 is post-P.

In accordance with these contributions to scholarship, the most recent pentateuchal discourse emphasizes the quantitative and qualitative importance of the final stages of the redaction history.⁸⁰ The most detailed, and in

76. Nihan, *From Priestly Torah*, 616–17.

77. Israel Knohl, *The Sanctuary of Silence* (Minneapolis: Fortress, 1995), 59–103; Knohl, “Who Edited the Pentateuch?,” in Dozeman, Schmid, and Schwartz, *Pentateuch*, 359–67.

78. Eckart Otto, “Innerbiblische Exegese im Heiligkeitgesetz Leviticus 17–26,” in *Die Tora: Studien zum Pentateuch; Gesammelte Aufsätze*, BZABR 9 (Wiesbaden: Harrassowitz, 2009), 95 n. 235.

79. Bernard M. Levinson, “The Birth of the Lemma: The Restrictive Reinterpretation of the Covenant Code’s Manumission Law by the Holiness Code,” *JBL* 124 (2005): 617–39.

80. E.g., in Ska, *Introduction to Reading*, 217–29; Jan C. Gertz, ed., *Grundinformation Altes Testament: Eine Einführung in Literatur, Religion und Geschichte des Alten Testaments*, 4th ed., UTB 2745 (Göttingen: Vandenhoeck & Ruprecht, 2010), 214–17; David M. Carr, *The Formation of the Hebrew Bible: A New Reconstruction* (New York:

some ways excessive reconstruction of the post-Priestly redaction-history of the Pentateuch applied to the reconstruction of a specific section was presented in 2010 by Christoph Berner on Exod 1–15. Berner attributes by far the largest portion of the exodus narrative to post-Priestly expansions, which, however, were generally unconnected with one another, focused on small amounts of text, and originated parallel to one another.⁸¹

There are, however, also radically opposing voices. The most critical objection surely comes from Joel Baden, who considers the supposition of a redactor to be a necessary, but quite meaningless element of the source theory that he defends: “He is a necessary side-effect of the recognition of multiple sources in the text, not a primary feature of the theory. The theory demands a redactor, because the sources were evidently combined by someone—but no more than one.”⁸²

Whatever one might conclude about the conditions of the redactor within the framework of a scholarly project on “Refining the Documentary Hypothesis,”⁸³ which maximizes the role of supposed source texts,

Oxford University Press, 2012), 216: “our present Pentateuch is, in large part, a product of a Priestly oriented conflation of the P and non-P documents along with late Priestly expansions of various non-P texts” (e.g., Gen 2,4a). Carr offers an entire chapter on these final layers of the composition of the Pentateuch: “The Final (Reconstructible) Stage of the Formation of the Pentateuch” (215–17); see also Zenger and Frevel, *Einleitung in das Alte Testament*, 148–60; Thomas Römer, Jean-Daniel Macchi, and Christophe Nihan, eds., *Einleitung in das Alte Testament: Die Bücher der Hebräischen Bibel und die alttestamentlichen Schriften der katholischen, protestantischen und orthodoxen Kirchen* (Zurich: TVZ, 2013), 155–64.

81. Christoph Berner, *Die Exoduserzählung: Das literarische Werden einer Ursprungserzählung Israels*, FAT 73 (Tübingen: Mohr Siebeck, 2010) (cf. the review by Konrad Schmid, ZAW 123 [2010]: 292–94).

82. Baden, *J, E, and the Redaction*, 8–9, cf. also 289, 305 as well as the detailed description on 255–86. Cf. the critical interaction by David M. Carr, review of *J, E, and the Redaction of the Pentateuch*, by Joel S. Baden, *RBL* (2010); <https://www.sblcentral.org/home/bookDetails/7801>. Baruch Schwartz similarly determines the function of the redaction on the example text of Gen 37, Cf. Schwartz, “How the Compiler of the Pentateuch Worked: The Composition of Genesis 37,” in *The Book of Genesis: Composition, Reception, and Interpretation*, ed. Craig A. Evans, Joel N. Lohr, and David L. Petersen, VTSup 152 (Leiden: Brill, 2012), 263–78; Schwartz, “Joseph’s Descent into Egypt: The Composition of Genesis 37,” in *The Joseph Story in the Bible and throughout the Ages* [Hebrew], ed. Le’ah Mazor, Beth Mikra 55 (Jerusalem: Magnes, 2010), 1–30.

83. Cf. Joel S. Baden, *The Composition of the Pentateuch: Renewing the Documentary Hypothesis* (New Haven: Yale University Press, 2012).

Wellhausen cannot be claimed as the ancestor of this perspective. In a letter to Adolf Jülicher, he holds that “the supplementary hypothesis [has] validity” and that “the hypothesis of a mechanical mosaic [is] ludicrous.”⁸⁴

The post-Priestly redaction history of the Pentateuch is truly a complex domain, and the editing process depends on numerous presuppositions about the nature of the composition of the Pentateuch as a whole. Nonetheless, recent scholarship has shown that this area can and should be investigated further.⁸⁵

84. Julius Wellhausen, “An Adolf Jülicher,” in *Briefe*, ed. Rudolf Smend (Tübingen: Mohr Siebeck, 2013), 78.

85. This field of investigation would expect and would include the description of complex conceptions of how the redaction history relates to the formation of the Pentateuch as Torah, see the initial reflections in Konrad Schmid, “Der Abschluss der Tora als exegetisches und historisches Problem,” in *Schriftgelehrte Traditionsliteratur: Fallstudien zur innerbiblischen Schriftauslegung im Alten Testament*, FAT 77 (Tübingen: Mohr Siebeck, 2011), 159–84. A disciplined inclusion of the post-Priestly texts of the Pentateuch is offered in the discussion by Thomas Römer, “Der Pentateuch,” in *Die Entstehung des Alten Testaments*, ed. Rudolf Smend et al., 5th ed., ThW 1.1 (Stuttgart: Kohlhammer, 2014), 53–166.

The Prophets after the Law or the Law after the Prophets? Terminological, Biblical, and Historical Perspectives

This contribution deals with what the discipline of Hebrew Bible has identified with the formula *lex post prophetas*, that is, “the law comes after the prophets,” denoting the groundbreaking reordering of ancient Israel’s religious history linked especially with the name of Julius Wellhausen.¹ My approach to this issue is a threefold one. First, I attempt to trace down the origin of that oft cited formula: *lex post prophetas*. Who used it for the first time? Then I will describe the basic biblical perspective on the problem, and a final section will consider some historically informed examples.²

6.1. The Historical Origins of the Formula *lex post prophetas*

If we investigate the historical origins of the formula *lex post prophetas* (“the Law after the Prophets”), we have to distinguish between the concept of dating “the law after the prophets” and the formula itself. Regarding the concept as such, it is usually associated with Wellhausen, who opens his *Prolegomena to the History of Israel* (first published 1878 under the title *Geschichte Israels*, vol. 1) by describing the problem he had understanding the prophets in light of the Pentateuch:

1. See Rudolf Smend, *Julius Wellhausen: Ein Bahnbrecher in drei Disziplinen* (Munich: Carl Friedrich von Siemens Stiftung, 2004).

2. For the difference between “historical” and “biblical” Israel, see Reinhard G. Kratz, *Historisches und biblisches Israel: Drei Überblicke zum Alten Testament* (Tübingen: Mohr Siebeck, 2013); trans. as *Historical and Biblical Israel: The History, Tradition, and Archives of Israel and Judah*, trans. Paul Michael Kurtz (Oxford: Oxford University Press, 2015).

At last, I took courage and made my way through Exodus, Leviticus, Numbers, and even through Knobel's *Commentary* to these books. But it was in vain that I looked for the light that was to be shed from this source on the historical and prophetic books.³

But then, in the wake of a personal encounter and communication, Wellhausen found a way out of his aporia:

At last, in the course of a casual visit in Göttingen, in the summer of 1867, I learned through Ritschl that Karl Heinrich Graf placed the Law later than the Prophets, and, almost without knowing his reasons for the hypothesis, I was prepared to accept it; I readily acknowledged to myself the possibility of understanding Hebrew antiquity without the Torah.⁴

Wellhausen attests here to the concept of the Law coming after the Prophets, but he does not use the formula *lex post prophetas*, nor does he do so elsewhere in his writings.

As for the origin of the concept, Wellhausen traces back the historical roots from Graf to Eduard Reuss, Leopold George, and Wilhelm Vatke:

The hypothesis usually associated with Graf's name is really not his but that of his teacher, Eduard Reuss. It would be still more correct to call it after Leopold George and Wilhelm Vatke, who, independent alike of Reuss and of each other, were the first to give it literary currency.⁵

3. Julius Wellhausen, *Prolegomena to the History of Israel* (Cambridge: Cambridge University Press, 1885; repr., 2013), 3. Original: "Endlich fasste ich mir Mut und arbeitete mich hindurch durch Exodus Leviticus und Numeri und sogar durch Knobel's Kommentar dazu. Aber vergebens wartete ich auf das Licht, welches von hieraus auf die geschichtlichen und prophetischen Bücher sich ergiessen sollte" (Wellhausen, *Prolegomena zur Geschichte Israels*, 3rd ed. [Berlin: Reimer, 1886], 3).

4. Wellhausen, *Prolegomena to the History of Israel*, 4–5. Original: "Da erfuhr ich gelegentlich im Sommer 1867, dass Karl Heinrich Graf dem Gesetze seine Stelle hinter dem Propheten anweise, und beinahe ohne noch die Begründung seiner Hypothese zu kennen, war ich für sie gewonnen: ich durfte mir gestehen, dass das hebräische Altertum ohne das Buch der Thora verstanden werden könne" (Wellhausen, *Prolegomena zur Geschichte Israels*, 4).

5. Wellhausen, *Prolegomena to the History of Israel*, 5. Original: "Die Hypothese, die man nach Graf zu benennen pflegt, stammt nicht von ihm, sondern von seinem Lehrer Eduard Reuss. Am richtigsten wäre sie aber zu benennen nach Leopold George und Wilhelm Vatke; den sie haben dieselbe zuerst literarisch vertreten, unabhängig

So Reuss is the immediate predecessor of Graf, but Reuss himself was not the first to conceive of the idea. George and Vatke had written about it before him. But neither do any of these three authors use the formula *lex post prophetas*.

The situation is especially difficult with Reuss. According to his own recounting, he first expounded on the idea in his lecture on the introduction to the Old Testament from 1834. He only published it much later, however, in 1881.

Reuss explains the delay of his publication as follows:

The draft was first the topic of a lecture course in the summer semester of 1834.... Whoever reflects on the literature of that time, not only the conservative, but especially also the critical one, will understand that I was immediately hesitant about challenging the academic world to consider the Prophets older than the Law, and the Psalms later than both.⁶

Reuss identifies the Prophets to be “older than the Law, and the Psalms later than both.” The concept of *lex post prophetas* is clearly attested in that statement but not the formula as such.

Independently of one another, both George and Vatke argued in 1835 for the late date of the cultic laws from Exodus through Numbers.⁷ Interestingly enough, Vatke even criticized George strongly and rebuked him for being simplistic:

In our view, the author [George] is mistaken if he presupposes generally, that the rapid ceremonial cult was only formed after the exile. Verses in the earlier prophets prove sufficiently that a praxis of ceremonies existed long before the exile. It was only later codified in legal terms and appeared as an [additional] element to the earlier legislation, which had a basically moral center.⁸

von Reuss und unabhängig voneinander” (Wellhausen, *Prolegomena zur Geschichte Israels*, 4).

6. Eduard Reuss, *Die Geschichte der Heiligen Schriften Alten Testaments* (Braunschweig: Schwetschke, 1881), vii. Unless otherwise noted, all translations are mine.

7. Leopold George, *Die älteren Jüdischen Feste mit einer Kritik der Gesetzgebung des Pentateuch* (Berlin: Schroeder, 1835); Wilhelm Vatke, *Die Religion des Alten Testaments nach den kanonischen Büchern entwickelt*, part 1 of *Die biblische Theologie wissenschaftlich dargestellt* (Berlin: Bethge, 1835).

8. Wilhelm Vatke, review of *Die älteren Jüdischen Feste mit einer Kritik der*

Wellhausen, of course, thought more along the lines of Vatke than of George, although he is a bit ambiguous in his writings. In his *Prolegomena*, he writes for all biblical laws that predate P:

Even if it be the case that Deuteronomy and the Priestly Code were only written down at a late period, still there remains the Jehovistic legislation (Exod 20–23, ch. 34), which might be regarded as the document that formed the starting-point of the religious history of Israel.⁹

But as Wellhausen states in the *Prolegomena*, this is not in fact the case: “Ancient Israel was certainly not without God-given bases for the ordering of human life; only they were not fixed in writing.”¹⁰

It is difficult to determine precisely what Wellhausen means here by “ancient Israel,” but one gets the impression that he is simplifying things in order to provide a clear reconstruction. His *Die Composition* is unambiguous about the existence of law traditions, the Decalogue in E, the Covenant Code in J, and the stand-alone piece in Exod 34 in the monarchic period:

Besides the accounts of the two continuous sources J and E, I think I have been able to reconstruct a third, completely stand-alone account in chapter 34. As a consequence, there are three different narratives of the event and three different records of the content of the legislation, the Decalogue in E, the Covenant Code in J, the two tablets as mentioned by Goethe in Exod. 34.¹¹

So only George formulates the notion of the Law after the Prophets as a clear-cut division: *all* laws are later than the Prophets. Vatke and Wellhausen present a more differentiated view: the cultic laws usually attributed to P, or as Wellhausen names it, to Q, are later than the Prophets, but not Exod 20–23 or Exod 34.

So far, we have discussed only the concept of *lex post prophetas*. We have not found one single appearance of the formula in Vatke, George, Reuss, or Wellhausen himself.

Gesetzgebung des Pentateuch, by Leopold George, *Jahrbücher für wissenschaftliche Kritik* (1836): 860.

9. Wellhausen, *Prolegomena zur Geschichte Israels*, 410.

10. Wellhausen, *Prolegomena zur Geschichte Israels*, 411.

11. Julius Wellhausen, *Die Composition des Hexateuchs und der historischen Bücher des Alten Testaments*, 3rd ed. (Berlin: Reimer 1899), 95.

In the scholarly literature, the question of the origin of the formula is sparsely discussed. There is basically half a page in Robert Morgan's and John Barton's 1988 book on *Biblical Interpretation* that informs us correctly that the "phrase *lex post prophetas* was more used about Wellhausen than by him."¹²

Morgan and Barton credit Ernst Wilhelm Hengstenberg¹³ with coining the phrase in his critique of Vatke.¹⁴ Unfortunately, they provide no clear reference. Hengstenberg writes:

Just as the Christ in the New Testament is a product of the Christian community according to Strauss, so Moses in the Old Testament according to Vatke is a product of the Israelite [community]. On the construction [of the Moses character], they worked for many centuries. He [sc. Vatke] boasts that the prophets grow much more important thereby p. 481. He knocks down the traditional view that prophecy grew out of the law with a single blow, as this would contradict the natural development.

Therefore, again, we have a clear attestation of the concept but not of the formula *lex post prophetas*. It is unclear who coined that term; maybe it was indeed Reuss, as Rudolf Smend (oral communication) suggests, but he never wrote it down.¹⁵

6.2. Biblical Perspectives

Regarding the relationship between the Law and the Prophets in the purview of the Hebrew Bible itself, several levels of approaches could be distinguished. First of all, according to the imagined scenery of the Hebrew Bible,¹⁶ Moses of course predates all prophets, at least the prophets that we now know from their books (Abraham is called a prophet in

12. Morgan and Barton, *Biblical Interpretation* (Oxford: Oxford University Press, 1988), 79.

13. Hengstenberg, *Die Authentie des Pentateuches*, vol. 1 (Berlin: Oehmigke, 1836), li.

14. Vatke, *Die Religion des Alten Testaments*.

15. A *terminus ante quem* for the term is Martin Kegel, *Bruno Bauer und seine Theorien über die Entstehung des Christentums* (Leipzig: Quelle & Meyer, 1908), 11 n. 2: "Von hier aus ergab sich für Bauer ein scharfer Gegensatz zu Vatke, der bekanntlich aus vielen Gründen die These 'lex post prophetas' vertrat."

16. On the difference between "biblical" and "historical" Israel, see note 2.

Gen 20:9). But this is, according to the biblical perspective, not only true in terms of the narrative timeline, but also in terms of theological quality. Deuteronomy 34:10 states that since Moses “no prophet has arisen in Israel whom God knew face to face.” This statement is, of course, heavily discussed, most recently in a monograph by Jeffrey Stackert,¹⁷ and many divergent interpretations have been offered. Nonetheless, it is obvious that it relates to Deut 18:15, where Israel receives the promise that a prophet like Moses will be raised up in order to provide guidance for the people. Whatever the diachronic relationship between Deut 34:10 and 18:15 might be, 34:10 draws a sharp line between the prophet Moses and the subsequent prophets. They belong to the same group, but there is a difference in quality between Moses and all others. It seems as if Deut 34:10 intends to distinguish the prophecy of Moses from all later prophecy. In Josh 1:7–8, 13 and Mal 3:22, one finds fitting counterparts to that conception. They subordinate the whole complex of the *Nevi'im* to the point of view of Deut 34:10.¹⁸

Josh 1:7-8, 13: Only be strong and very courageous, being careful to act in accordance with all the law that **my servant Moses** commanded you; do not turn from it to the right hand or to the left, so that you may be successful wherever you go. This book of the Torah shall not depart out of your mouth; you shall meditate on it day and night, so that you may be careful to act in accordance with all that is written in it. For then you shall make your way prosperous, and then you shall be successful.... Remember the word that **Moses the servant of YHWH** commanded you, saying, “YHWH your God is providing you a place of rest, and will give you this land.

17. Stackert, *A Prophet Like Moses: Prophecy, Law, and Israelite Religion* (New York: Oxford University Press, 2014), 117–22; Christophe Nihan, “Moses and the Prophets: Deuteronomy 18 and the Emergence of the Pentateuch as Torah,” *SEÅ* 75 (2010): 21–55; Matthias Köckert, “Zum literargeschichtlichen Ort des Prophetengesetzes Dtn 18 zwischen dem Jeremiabuch und Dtn 13,” in *Leben in Gottes Gegenwart: Studien zum Verständnis des Gesetzes im Alten Testament*, FAT 43 (Tübingen: Mohr Siebeck, 2004), 195–215.

18. See Odil H. Steck, *Der Abschluss der Prophetie: Ein Versuch zur Frage der Vorgeschichte des Kanons*, BThS 17 (Neukirchen-Vluyn: Neukirchener Verlag, 1991), 134–36, see also Lee Martin McDonald, *The Biblical Canon: Its Origin, Transmission, and Authority* (Peabody, MA: Hendrickson, 2007), 78–80.

Mal 3:22: *Remember* the Torah of **my servant Moses**, the statutes and ordinances that I *commanded* him at Horeb for all Israel.

According to this line of argumentation, Moses is the first and incomparable member of a sequence of prophets that follow him. First come the prophets of the *nevi'im rišonim* (Former Prophets), then the prophets of the *nevi'im aḥaronim* (Latter Prophets).¹⁹

6.3. Historical Perspectives

At this point a basic distinction should be introduced that, nevertheless, is often overlooked in biblical studies: the difference between the world of the narrative and the world of the narrator. For the Pentateuch, the world of the narrative is basically the second millennium BCE (if we bracket out for a moment the primeval history), whereas the world of the narrator belongs basically to the first millennium BCE. Despite all divergences in pentateuchal scholarship, it is fair to conclude at least that much.

Regarding the prophetic books, we have a similar constellation: According to the books themselves, the world of the narrative is the lifetime of the prophets. The world of the narrators may, but does not necessarily coincide completely with the world of the narrative. It can possibly reach down to the closure of *Nevi'im* and the end of literary productive reinterpretation of the prophetic books.

If we are a little bolder, and this is contested to a greater extent, we can say that the written texts of the Pentateuch may have originated between the ninth and the fourth centuries BCE.²⁰ There may be some earlier and some later texts,²¹ and there are probably even older oral traditions

19. This distinction dates to the eighth century CE, see Rudolf Smend et al., *Die Entstehung des Alten Testaments*, 5th ed., ThW 1.1 (Stuttgart: Kohlhammer 2014), 20.

20. E.g., Jean-Louis Ska, *Introduction to Reading the Pentateuch* (Winona Lake, IN: Eisenbrauns, 2006), 184–234; Jan C. Gertz, Angelika Berlejung, Konrad Schmid, and Markus Witte, *T&T Clark Handbook of the Old Testament*, trans. Peter Altmann (New York: T&T Clark, 2012), 235–351.

21. For earlier texts, see Victor Maag, “Zum Hieros Logos von Beth-El,” in *Kultur, Kulturkontakt und Religion: Gesammelte Studien zur allgemeinen und alttestamentlichen Religionsgeschichte*, ed. Hans-Heinrich Schmid and Odil H. Steck (Göttingen: Vandenhoeck & Ruprecht, 1980), 29–37; Harald M. Wahl, *Die Jakobserzählungen: Studien zu ihrer mündlichen Überlieferung, Verschriftung und Historizität*, BZAW 258 (Berlin: de Gruyter, 1997). For later texts, see, e.g., for parts of Num 22–24, Hedwige

reworked in the Pentateuch, but one should basically reckon with this span of time.²²

If we look at the prophets, we get a similar but not an identical picture. Amos, Hosea, and Isaiah as the earliest prophets belong to the eighth century, so the growth of the literary tradition may have started a little later than in the Pentateuch. Yet some of the prophetic books were redactionally expanded into the third century BCE, although this is contested.²³

Taken together, there is a historical realm of possible mutual influence reaching from approximately the eighth to the fourth centuries. It is likely that not only the Pentateuch influenced the prophets, but also that influences ran in the other direction as well.²⁴

Rouillard, *La péricope de Balaam (Nombres 22–24): La prose et les “oracles,”* EBib NS 4 (Paris: Gabalda, 1985), 467; Frank Crüsemann, *Die Tora: Theologie und Sozialgeschichte des alttestamentlichen Gesetzes* (Munich: Kaiser, 1992), 403, Hans-Christoph Schmitt, “Der heidnische Mantiker als eschatologischer Jahweprophet: Zum Verständnis Bileams in der Endgestalt von Num 22–24,” in “*Wer ist wie du, Herr, unter den Göttern?*” *Studien zur Theologie und Religionsgeschichte Israels*: Für Otto Kaiser zum 70. Geburtstag, ed. Ingo Kottsieper et al. (Göttingen: Vandenhoeck & Ruprecht, 1994), 185; or for Gen 5 Konrad Schmid, *Genesis and the Moses Story: Israel’s Dual Origins in the Hebrew Bible*, Siphut 3 (Winona Lake, IN: Eisenbrauns, 2010), 17–18; but see the important remarks of Ronald Hendel, “A Hasmonean Edition of MT Genesis? The Implications of the Editions of the Chronology in Genesis 5,” *HBAI* 1 (2012): 448–64.

22. See, e.g., Konrad Schmid, “Der Abschluss der Tora als exegetisches und historisches Problem,” in *Schriftgelehrte Traditionsliteratur: Fallstudien zur innerbiblischen Schriftauslegung im Alten Testament*, FAT 77 (Tübingen: Mohr Siebeck, 2011), 159–84; Schmid, “The Pentateuch and Its Theological History,” ch. 9 in this volume; Thomas Römer, “Der Pentateuch,” in Dietrich et al., *Die Entstehung des Alten Testaments*, 53–110.

23. See, e.g., Reinhard G. Kratz, *Die Propheten Israels* (Munich: Beck, 2003); Konrad Schmid, *The Old Testament: A Literary History*, trans. Linda M. Maloney (Minneapolis: Fortress, 2012).

24. For the Pentateuch influencing the prophets, see, e.g., Eckart Otto, “Jeremia und die Tora: Ein nachexilischer Diskurs,” in *Die Tora: Studien zum Pentateuch; Gesammelte Aufsätze*, BZABR 9 (Wiesbaden: Harrassowitz, 2009), 515–60 (see the bibliography 517–18 n. 10); Christl Maier, *Jeremia als Lehrer der Tora: Soziale Gebote des Deuteronomiums in Fortschreibungen des Jeremiabuches*, FRLANT 196 (Göttingen: Vandenhoeck & Ruprecht, 2002); Dalit Rom-Shiloni, “Torah Interpretation in Jeremiah: Exegetical Techniques and Ideological Intentions,” *Shnaton* 17 (2007): 43–87; Rom-Shiloni, “Actualization of Pentateuchal Legal Traditions in Jeremiah: More on the Riddle of Authorship,” *ZABR* 15 (2009): 254–81; Thomas Krüger, “Das menschliche Herz und die Weisung Gottes: Elemente einer Diskussion über

A good example of the reception of prophecy in the Pentateuch is the quotation of Amos 8:2 in Gen 6:13, identified already in the early 1980s by Rudolf Smend.²⁵ God's statement in Gen 6:13, an undisputed P text, that "the end has come" seems to allude to Amos 8:2. The topic is also present in Ezek 7:2–3. Why should P (if we allow for a post-Amos date of P) take up Amos 8:2? This should be explained within the overall political-theological message of P. P advocates a very peaceful world which envisions no violence or judgment by God toward his creation. Maybe the most blatant illustration of this is God's bow in the clouds according to Gen 9:²⁶ God puts his weapon away, and he will never again destroy the earth. But why then this interaction with Amos's prophecy of doom? P had to come to terms with the prophetic tradition that was known at its time. Genesis 9 demonstrates P's solution to this issue: Yes, there was an end of the world decreed by God, but this is a crisis that has been resolved. It happened a very long time ago and has been settled by God once and for all. In order to interact in such a subversive way with the biblical prophecy of doom, P transformed Amos 8:2 from a divine statement about the present into a primeval action.

Möglichkeiten und Grenzen der Tora-Rezeption im Alten Testament," in *Das menschliche Herz und die Weisung Gottes: Studien zur alttestamentlichen Anthropologie und Ethik*, ATANT 96 (Zurich: TVZ, 2009), 107–36; see also Thomas Römer, "La rédaction des trois grands prophètes comme réaction à la crise de l'exil babylonien," *Transeu* 42 (2012): 69–80. Cf. further the broader reflections of Hindy Najman, *Seconding Sinai: The Development of Mosaic Discourse in Second Temple Judaism*, JSJSup 77 (Leiden: Brill, 2003), 1–40. For the prophets influencing the Pentateuch, see, e.g., Christoph Levin, "The 'Word of Yahweh': A Theological Concept in the Book of Jeremiah," in *Re-Reading the Scriptures: Essays on the Literary History of the Old Testament*, FAT 87 (Tübingen: Mohr Siebeck, 2013), 224 n. 7 (on the relationship between Jer 1:7, 9 and Deut 18:18).

25. Rudolf Smend, "Das Ende ist gekommen: Ein Amoswort in der Priesterschrift," in *Die Botschaft und die Boten: Festschrift für Hans Walter Wolff zum 70. Geburtstag*, ed. Jörg Jeremias and Lothar Perlitt (Neukirchen-Vluyn: Neukirchener Verlag, 1981), 67–74; repr., *Die Mitte des Alten Testaments: Exegetische Aufsätze* (Tübingen: Mohr Siebeck, 2002), 238–43; see also Jan C. Gertz, "Noah und die Propheten: Rezeption und Reformulierung eines altorientalischen Mythos," *Deutsche Vierteljahrsschrift für Literaturwissenschaft und Geistesgeschichte* 81 (2007): 503–22; and foremost Thomas Pola, "Back to the Future: The Twofold Priestly Concept of History," in *Torah and the Book of Numbers*, ed. Christian Frevel, Thomas Pola, and Aaron Schart, FAT 2/62 (Tübingen: Mohr Siebeck, 2013), 39–65.

26. Udo Rüterswörden, "Der Bogen in Genesis 9: Militärhistorische und traditionsgeschichtliche Erwägungen zu einem biblischen Symbol," *UF* 20 (1988): 247–63.

The other direction, the reworking of the Pentateuch in the prophets, is a more familiar perspective in biblical scholarship. There are some nearly undisputed examples, for example, the reception and reworking of Deut 24:1–4 in Jer 3:1–5 and of Deut 23:1–9 in Isa 56:1–7.²⁷ I would like to add one more example in order to show a less evident, but nevertheless important example of an innerbiblical reinterpretation of the Torah in the prophets. Jeremiah 30:18, promising the rebuilding of the town on its ruins, is very close to Deut 13:17,²⁸ the law of an apostate town that shall be burnt and remain a ruin forever. The authors of Jer 30:18, which is a promise directed toward Jerusalem, apparently did not dare to develop a promise that directly contradicted the Torah. Therefore, they took up the relevant Torah text, Deut 13:17, quoted it, and thereby updated it with prophetic authority. Yes, an apostate town needs to be burned down, but in the case of Jerusalem, rebuilding is allowed, as God himself has promised through his prophet Jeremiah.

In sum, the prophets come after the law, and the law comes after the prophets.²⁹ In a diachronically differentiated approach, there are no easy solutions to that problem.

27. On Deut 24:1–4 in Jer 3:1–5, see, e.g., Konrad Schmid, *Buchgestalten des Jeremiabuches: Untersuchungen zur Redaktions- und Rezeptionsgeschichte von Jer 30–33 im Kontext des Buches*, WMANT 72 (Neukirchen-Vluyn: Neukirchener Verlag), 277–94; Georg Fischer, *Jeremia 1–25*, HThKAT (Freiburg im Breisgau: Herder, 2005), 184–85; Rom-Shiloni, “Torah Interpretation”; Rom-Shiloni, “Actualization.” On Deut 23:1–9 in Isa 56:1–7, see Herbert Donner, “Jesaja LVI 1–7: Ein Abrogationsfall innerhalb des Kanons—Implikationen und Konsequenzen,” in *Congress Volume Salamanca*, ed. John A. Emerton, VTSup 36 (Leiden: Brill, 1985), 81–95; repr., *Aufsätze zum Alten Testament aus vier Jahrzehnten*, BZAW 224 (Berlin: de Gruyter, 1994), 165–79; Christl M. Maier, “Ist Versöhnung möglich? Jeremia 3,1–5 als Beispiel innerbiblischer Auslegung,” in *“Gott bin ich, kein Mann”: Beiträge zur Hermeneutik der biblischen Gottesrede; Festschrift für Helen Schüngel-Strautmänn zum 65. Geburtstag*, ed. Ilona Riedel-Spangenberger and Erich Zenger (Paderborn: Schöningh, 2006), 295–305; Rom-Shiloni, “Torah Interpretation”; Mayer I. Gruber, “Jeremiah 3:1–4:2 between Deuteronomy 24 and Matthew 5: Jeremiah’s Exercise in Ethical Criticism,” in *Birkat Shalom: Studies in the Bible, Ancient Near Eastern Literature, and Postbiblical Judaism Presented to Shalom M. Paul on the Occasion of His Seventieth Birthday*, ed. Chaim Cohen et al. (Winona Lake, IN: Eisenbrauns, 2008), 1:233–49.

28. See, e.g., Schmid, *Buchgestalten*, 119–25; Georg Fischer, *Jeremia 26–45*, HThKAT (Freiburg im Breisgau: Herder, 2005), 135.

29. This is even true for the formation of Torah and Nevi’im; see Stephen B. Chapman, *The Law and the Prophets: A Study in Old Testament Canon Formation*, FAT 27 (Tübingen: Mohr Siebeck, 2000).

Textual, Historical, Sociological, and Ideological Cornerstones of the Formation of the Pentateuch

Who wrote the Torah? In light of more than two hundred years of scholarship and of the ongoing disputes on that question, the most precise answer to this question still is: we do not know.¹ The tradition claims it was Moses, but the Torah itself says otherwise. Rather than the whole Torah, only small portions within the Torah are traced back to him: Exod 17:14 (battle against Amalek); 24:4 (Covenant Code); 34:28 (Ten Commandments); Num 33:2 (wandering stations); Deut 31:9 (Deuteronomic law); and 31:22 (Song of Moses).

On this question, no single, agreed-upon answer emerged from the proceedings of two major conferences of the research group “Convergence and Divergence in Pentateuchal Theory: Bridging the Academic Cultures of Israel, North America, and Europe,” held in Jerusalem (2012–2013) at the Israel Institute of Advanced Studies.² It is fair to say that this volume documents more divergences than convergences among the positions in field.³ The main benefit was apparently not the finding of a

1. See, e.g., Thomas Römer, “Zwischen Urkunden, Fragmenten und Ergänzungen: Zum Stand der Pentateuchforschung,” ZAW 125 (2013): 2–24; Römer, Jean-Daniel Macchi, and Christophe Nihan, eds., *Einleitung in das Alte Testament: Die Bücher der Hebräischen Bibel und die alttestamentlichen Schriften der katholischen, protestantischen und orthodoxen Kirchen* (Zurich: TVZ, 2013), 120–68; Reinhard G. Kratz, “The Analysis of the Pentateuch: An Attempt to Overcome Barriers of Thinking,” ZAW 128 (2016): 529–61; Thomas B. Dozeman, *The Pentateuch: Introducing the Torah* (Minneapolis: Fortress, 2017).

2. See Jan C. Gertz et al., eds., *The Formation of the Pentateuch: Bridging the Academic Cultures of Europe, Israel, and North America*, FAT 111 (Tübingen: Mohr Siebeck, 2016).

3. This is especially true for the dispute between “neo-documentarians” and

common solution, but the acknowledgment of our differences. But upon closer inspection, the situation in pentateuchal research is far from desperate, and there are indeed some basic theses that can be made regarding the formation of the Torah. This is the purpose of this contribution. It is structured in the following three parts: (1) The Textual Evidence of the Pentateuch; (2) Sociohistorical Conditions for the Development of the Pentateuch, and (3) “Ideologies” or “Theologies” of the Pentateuch in Their Historical Contexts.

7.1. The Textual Evidence of the Pentateuch

First, as with all exegetical questions, the initial question is basic yet crucial: What is the textual basis for the Pentateuch?⁴ What are the oldest manuscripts we have? At this point, one should mention the so-called Codex Leningradensis, or B 19A.⁵ This manuscript of the Hebrew Bible dates to the year 1008 CE, so it is a medieval text, but it is the oldest complete textual witness to the Pentateuch. This seems to leave us in a very awkward position: we are dealing with an allegedly 2,500-year-old text, but its earliest textual attestation is only one thousand years old. Yet the situation is not hopeless.

First, there are ancient translations that significantly predate Codex B 19 A. The first are the grand codices of the translation of the Hebrew Bible into Greek, the earliest of which is the Codex Sinaiticus.⁶ While this text is not an original, it is a good witness to the Hebrew text behind it, dating from the fourth century CE. The Greek text of the Pentateuch shows differences from the Hebrew text, particularly in Exod 35–40. This issue was noted in 1862 by Julius Popper, who was the first to deal extensively and deliberately with post-P expansions in the Pentateuch.⁷

redaction-critical approaches to the Pentateuch, see, e.g., the discussion between Joel S. Baden, “The Continuity of the Non-Priestly Narrative from Genesis to Exodus,” *Bib* 93 (2012): 161–86; and Konrad Schmid, “Genesis and Exodus as Two Formerly Independent Traditions of Origins for Ancient Israel,” *Bib* 93 (2012): 187–208.

4. See Armin Lange, “From Many to One: Some Thoughts on the Hebrew Textual History of the Torah,” in Gertz et al., *Formation of the Pentateuch*, 121–95.

5. See Emanuel Tov, *Textual Criticism of the Hebrew Bible*, 3rd ed. (Minneapolis: Fortress, 2012), 23–74.

6. See David C. Parker, *Codex Sinaiticus: The Story of the World’s Oldest Bible* (London: British Library, 2010).

7. Julius Popper, *Der biblische Bericht über die Stiftshütte: Ein Beitrag zur*

Second, there are older, preserved portions of the Pentateuch in Hebrew. Before 1947, the oldest extant fragment of a biblical text was the so-called Papyrus Nash, which probably dates around 100 BCE and contains both the Decalogue and the beginning of the Shema Israel from Deut 6.⁸

Much more important were the textual discoveries from the Dead Sea that began in 1947.⁹ Remnants of about nine hundred scrolls were discovered, among them many biblical texts. They date mainly from the second and first centuries BCE. Most of the texts are fragmentary, many of them no larger than a few square centimeters. All of the biblical fragments are accessible in Eugene Ulrich's book *The Biblical Qumran Scrolls*.¹⁰

What do these Qumran texts reveal about the Pentateuch in the early, postbiblical period? The most important insight is the remarkable similarity between these fragments, as far as they have been preserved, and Codex B 19 A. In the case of Gen 1:1–5 in 4Q2 (4QGen^b), no differences are present at all.¹¹

Nevertheless, the various scrolls seem to display affiliations to the traditionally attested, post-70 CE textual families of the Pentateuch. Armin Lange gives the following estimate:¹²

Proto-Masoretic: 37.5 percent
 Proto-Samaritan: 5.0 percent
 Proto-Septuagint: 5.0 percent
 Independent: 52.5 percent

Geschichte der Composition und Diaskeue des Pentateuch (Leipzig: Hunger, 1862). See also Martha Lynn Wade, *Consistency of Translation Techniques in the Tabernacle Accounts of Exodus in the Old Greek*, SCS 49 (Atlanta: Society of Biblical Literature, 2003).

8. See Tov, *Textual Criticism*, 111. However, this text is more liturgical than biblical in nature.

9. See Armin Lange, *Die Handschriften biblischer Bücher von Qumran und den anderen Fundorten*, vol. 1 of *Handbuch der Textfunde vom Toten Meer* (Tübingen: Mohr Siebeck, 2009); Géza G. Xeravits and Peter Porzig, *Einführung in die Qumranliteratur: Die Handschriften vom Toten Meer* (Berlin: de Gruyter, 2015), 23–47.

10. Ulrich, *The Biblical Qumran Scrolls* (Leiden: Brill, 2010), with the pentateuchal passages on pages 1–246.

11. See Ulrich, *Biblical Qumran Scrolls*, 1–2.

12. Lange, *Die Handschriften*, 155.

In these figures, there is some prevalence of the proto-MT strand, though one observes a significant number of independent readings. At times, the differences are quite relevant, such as the reading of “Elohim” instead of “YHWH” in Gen 22:14 or of “Mount Gerizim” instead of “Mount Ebal” in Deut 27:4 (but the latter fragment might be a forgery).¹³ However, Emanuel Tov has stated the following about the large portion of proto-Masoretic texts: “The differences between these texts [sc. the proto-MT texts] and L [sc. Codex Leningradensis] are negligible, and in fact their nature resembles the internal differences between the medieval manuscripts themselves.”¹⁴

Thus, the Qumran findings provide an important starting point for pentateuchal exegesis and corroborate the legitimacy of critical use of the MT in pentateuchal research. On the one hand, we can have considerable confidence in the Hebrew text of the Pentateuch, as attested in the medieval manuscript of Codex B 19A, which is the textual basis for most modern Bible editions. On the other hand, at the time, there was apparently not a fully stable text of the Pentateuch in terms of the fixing of every single letter or word as part of a fully canonized Bible, as the differences between the scrolls show.¹⁵

In terms of the composition of the Pentateuch, another insight that we can deduce from Qumran is that the Pentateuch was basically finished no later than the second century BCE. Some of its texts are certainly much older, but probably none of them are later.

One epigraphical piece relating to our concerns should be mentioned: There is a quasi-biblical text from biblical times, the silver amulets from Ketef Hinnom, which offer a text close to Num 6:24–26 and date anywhere

13. On Gen 22:14, see Thomas Römer, “Le ‘sacrifice d’Abraham,’ un texte élohiste? Quelques observations à partir de Gn22,14 et d’un fragment de Qumran,” *Sem* 54 (2012): 163–72. On Deut 27:4, see Siegfried Kreuzer, *Geschichte, Sprache und Text: Studien zum Alten Testament und seiner Umwelt*, BZAW 479 (Berlin: de Gruyter, 2015), 151–54.

14. Emanuel Tov, “The Text of the Hebrew/Aramaic and Greek Bible Used in the Ancient Synagogues,” in *The Ancient Synagogue from Its Origins until 200 C.E.: Papers Presented at an International Conference at Lund University, October 14–17, 2001*, ed. Birger Olsson and Magnus Zetterholm, ConBNT 39 (Stockholm: Almqvist & Wiksell, 2003), 237–59.

15. See also Lester L. Grabbe, “The Law, the Prophets, and the Rest: The State of the Bible in Pre-Maccabean Times,” *DSD* 13 (2006): 319–38.

between the seventh and the second century BCE, but this is not really a witness to the Bible.¹⁶

7.2. Sociohistorical Conditions for the Development of the Pentateuch

How should we imagine the cultural-historical background of the Pentateuch's composition? A very insightful book by Christopher Rollston brings together all of the relevant evidence regarding writing and literacy in ancient Israel.¹⁷ In addition, Matthieu Richelle and Erhard Blum have recently published important contributions that evaluate the evidence of scribal activities in early Israel and Judah equitably.¹⁸

The first question here concerns who could actually read and write? We have different estimates for the ancient world, but they agree that probably not more than 5–10 percent of the population were literate to a degree that they could read and write texts of some length. Literacy was probably an elite phenomenon, and texts were circulated only among these circles, which were centered around the palace and the temple.¹⁹ In biblical times,

16. See Angelika Berlejung, "Der gesegnete Mensch: Text und Kontext von Num 6,22–27 und den Silberamuletten von Ketef Hinnom," in *Mensch und König: Studien zur Anthropologie des Alten Testaments; Rüdiger Lux zum 60. Geburtstag*, ed. Angelika Berlejung and Raik Heckl, HBS 53 (Freiburg im Breisgau: Herder, 2008), 37–62; Berlejung, "Ein Programm fürs Leben: Theologisches Wort und anthropologischer Ort der Silberamulette von Ketef Hinnom," *ZAW* 120 (2008): 204–30.

17. Rollston, *Writing and Literacy in the World of Ancient Israel: Epigraphic Evidence from the Iron Age*, ABS 11 (Atlanta: Society of Biblical Literature, 2010). See also Ron E. Tappy and P. Kyle McCarter, *Literate Culture and Tenth-Century Canaan: The Tel Zayit Abecedary in Context* (Winona Lake, IN: Eisenbrauns, 2008).

18. Richelle, "Elusive Scrolls: Could Any Hebrew Literature Have Been Written Prior to the Eighth Century BCE?," *VT* 66 (2016): 556–94; Blum, "Die altaramäischen Wandinschriften aus Tell Deir 'Alla und ihr institutioneller Kontext," in *Meta-Texte: Erzählungen von schrifttragenden Artefakten in der alttestamentlichen und mittelalterlichen Literatur*, ed. Friedrich-Emanuel Focken and Michael Ott, *Materiale Textkulturen* 15 (Berlin: de Gruyter, 2016), 21–52.

19. See, e.g., Rollston, *Writing and Literacy*, 127–33; David M. Carr, *Writing on the Tablet of the Heart: Origins of Scripture and Literature* (Oxford: Oxford University Press, 2005), 70–71; 165–66; 172–73; 187–91; Carr, *The Formation of the Hebrew Bible: A New Reconstruction* (Oxford: Oxford University Press, 2011), 128–29; Catherine Hezser, *Jewish Literacy in Roman Palestine*, TSAJ 81 (Tübingen: Mohr Siebeck, 2001). Philip S. Alexander, "Literacy among Jews in Second Temple Palestine: Reflections on the Evidence from Qumran," in *Hamlet on a Hill: Semitic and Greek Studies Presented*

producing literature was an enterprise mainly restricted to professional scribes, and reading literature was generally limited to the same circles that produced it.

Recently, Israel Finkelstein and others have claimed that the Lachish Ostraca show at least six different scripts, pointing to more widespread literacy even among soldiers in the early sixth century BCE.²⁰ But this kind of evidence remains debatable.

Othmar Keel, Richelle, and others have argued for a continuous literary tradition in Jerusalem from the Bronze Age city state to the early Iron Age.²¹ While this perspective is probably not entirely wrong, it should not be overestimated. Abdi-Hepa's Jerusalem was something different from David or Solomon's Jerusalem, and there was obviously a cultural break between Late Bronze and early Iron Age Jerusalem. A case in point would be the new Ophel inscription from Jerusalem, which exhibits a rather rudimentary level of linguistic education.²²

A second question concerns how people wrote. Most extant inscriptions are on potsherds or stone, but this is only what has survived. For obvious reasons, texts on stone or clay last much longer than those on papyrus or leather, so we cannot simply extrapolate from what archeologists have found to what people wrote on in general. (In fact, there is only a single papyrus sheet left from the time of the monarchy, Mur. 17.)²³ In addition, we have an impressive number of seals and bullae from Jerusalem during the First Temple period with remnants of papyrus on them

to Professor T. Muraoka on the Occasion of His Sixty-Fifth Birthday, ed. Martin F. J. Baasten and Wido Th. van Peursen, OLA 118 (Leuven: Peeters, 2003), 3–25, reckons with wide-spread literacy among the members of the Qumran community.

20. Shira Faigenbaum-Golovin et al., "Algorithmic Handwriting Analysis of Judah's Military Correspondence Sheds Light on Composition of Biblical Texts," PNAS 113 (2016): 4664–69.

21. Keel, *Die Geschichte Jerusalems und die Entstehung des Monotheismus*, 2 vols., Orte und Landschaften der Bibel 6.1 (Göttingen: Vandenhoeck & Ruprecht, 2007), 101–32; Richelle, "Elusive Scrolls," and the literature mentioned in n. 18.

22. Reinhard G. Lehmann and Anna Elise Zerneck, "Bemerkungen und Beobachtungen zu der neuen Ophel Pithosinschrift," in *Schrift und Sprache: Papers Read at the 10th Mainz International Colloquium on Ancient Hebrew (MICAH), Mainz, 28–30 October 2011*, ed. Reinhard G. Lehmann and Anna Elise Zerneck, KUSATU 15 (Waltrop: Spenner, 2013), 437–50.

23. Published in Pierre Benoit, J. T. Milik, and Roland de Vaux, *Les Grottes de Murabba'ât*, 2 vols., DJD II (Oxford: Clarendon, 1961), 93–100.

that prove that papyrus was a common medium for writing. Some of the bullae bear names such as “Gemaryahu ben Shafan,” who is mentioned in Jer 36:10, or “Yehuchal Ben Shelamayahu” and “Gedaliah Ben Pashchur,” whom we know from Jer 38:1.²⁴

In all likelihood, the writing material for texts such as those in the Pentateuch was papyrus or leather. Longer books needed to be written on leather, because papyrus sheets are fragile. The ink was composed of grime and metal. Scholars estimate that it took a professional scribe six months to copy a book the length of Genesis or Isaiah. If one adds the value of the sheep skins, it is evident that the production of such a scroll would have been very costly.

In biblical times, copies of the books of the Bible were probably very few in number. For the second century BCE, 2 Macc 2:13–15 provides evidence that the Jewish community in Alexandria, likely among the largest diaspora groups, did not possess a copy of every biblical book. This text quotes a letter from the Jerusalemites to the Jews in Alexandria that invites them to borrow a copy of those biblical books from Jerusalem that they do not possess.

Nehemiah ... founded a library and collected the books about the kings and prophets, and the writings of David.... In the same way Judas [Maccabaeus] also collected all the books that had been lost on account of the war that had come upon us, and they are in our possession. So if you have need of them, send people to get them for you. (2 Macc 2:13–15)

But when was the Pentateuch composed? It is helpful at the outset to determine a timespan in which its texts were written. Biblical scholarship often uses the terms *terminus a quo* and *terminus ad quem* to delimit such a timespan. The *terminus a quo* denotes the earliest point at which a text could have been written; the *terminus ad quem* is the latest point at which it could have been written.

For the former expression (*terminus a quo*), an important clarification is needed. We can only determine the beginnings of the earliest *written* versions of a text. In other words, this does not include a text’s oral prehistory. Many texts in the Bible, especially in the Pentateuch, go back to oral traditions that can be much older than their written counterparts. So the *terminus a quo* only determines the beginning of the written

24. See the discussion in Richelle, *Elusive Scrolls*.

transmission of a text that, in turn, may have already been known as an oral tale or the like.²⁵

Unlike many prophetic texts, pentateuchal texts do not mention dates of authorship. One must therefore look for internal and external indicators in order to determine the date of their composition.

There is a basic observation relevant for determining the beginnings of the Pentateuch's literary formation. We can safely determine a historical break in the ninth and eighth centuries BCE in the cultural development of Israel and Judah. This point holds despite the observations by Richelle and Blum, who provide sufficient evidence to include the late ninth century as the beginning of this watershed with regard to the development of Israel's and Judah's scribal culture.²⁶ By this point, a certain level of statehood and literacy was achieved, and these two elements go together. That is, the more developed a state, the more bureaucracy and education are needed—especially in the area of writing.

When one considers the number of inscriptions found in ancient Israel and Judah, the numbers clearly increase in the eighth century, and this increase should probably be interpreted as indicating a cultural development in ancient Israel and Judah. This claim can be corroborated by looking at the extant texts that can be dated to the tenth century BCE, such as the Gezer Calendar; the potsherd from Jerusalem; the Baal inscription from Bet Shemesh; the Tel Zayit abecedary; and the Qeiyafa ostrakon.²⁷ All of them stem from or around the tenth century BCE. The modesty of their content and writing style alike are easy to discern.

25. See Odil H. Steck, *Old Testament Exegesis: A Guide to the Methodology*, 2nd ed., trans. James D. Nogalski, RBS 39 (Atlanta: Scholars Press, 1998), 63–74; see also Harald Martin Wahl, *Die Jakobserzählungen: Studien zu ihrer mündlichen Überlieferung, Verschriftung und Historizität*, BZAW 258 (Berlin: de Gruyter, 1997).

26. See n. 18.

27. On the Gezer Calendar, see, e.g., Dennis Pardee, “Gezer Calendar,” *OANE* 2:396–400; Daniel Sivan, “The Gezer Calendar and Northwest Semitic Linguistics,” *IEJ* 48 (1998): 101–5. On the Bet Shemesh inscription, see P. Kyle McCarter, “Shlomo Bunimovitz, Zvi Lederman, An Archaic Baʿl Inscription from Tel Beth-Shemesh,” *TA* 38 (2011): 179–93. On the Tel Zayit abecedary, see n. 16. On the Qeiyafa ostrakon, see Silvia Schroer and Stefan Münzer, eds., *Khirbet Qeiyafa in the Shephelah: Papers Presented at a Colloquium of the Swiss Society for Ancient Near Eastern Studies Held at the University of Bern, September 6, 2014*, OBO 282 (Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 2017).

If we move forward about one century to the ninth century BCE, then the evidence is much more telling, even if some of the evidence is in Aramaic and not Hebrew. The first monumental stela from the region is the Mesha Stela, which is written in Moabite and which contains the first documented reference to YHWH and Israel as we know them.²⁸ Another monumental text is the Tel Dan stela in Aramaic, best known for mentioning the “Beth David.”²⁹

Still another piece of evidence is the eighth-century Aramaic wall inscription from Tell Deir Alla, which mentions the prophet Balaam that appears in Num 22–24.³⁰ Balaam’s story in the inscription is completely different from the narrative about him in the Bible, yet it remains one of the earliest piece of evidence for a literary text in the near vicinity of ancient Israel.

Along with others, Blum has recently argued convincingly for interpreting the site of Tell Deir Alla as a school, because of a late Hellenistic parallel to the building architecture of Trimithis in Egypt (ca. fourth century CE).³¹ This interpretation as a school might also be true for Kuntillet ‘Ajrud, where we also have writings on the wall.³²

The landmark set in the ninth and eighth century BCE by the high number and new quality of written texts in ancient Israel and Judah corresponds to another relevant feature. At this time, Israel begins to be perceived by its neighbors as a state. That is, not only internal changes in

28. See J. Andrew Dearman, ed., *Studies in the Mesha Inscription and Moab*, ABS 2 (Atlanta: Scholars Press, 1989).

29. See George Athas, *The Tel Dan Inscription: A Reappraisal and a New Interpretation*, JSOTSup 360 (London: T&T Clark, 2005).

30. Helga Weippert and Manfred Weippert, “Die ‘Bileam’-Inschrift von Tell Der ‘Alla,” *ZDPV* 98 (1982): 77–103; Erhard Blum, “‘Verstehst du dich nicht auf die Schreibkunst...?’ Ein weisheitlicher Dialog über Vergänglichkeit und Verantwortung: Kombination II der Wandinschrift vom Tell Deir ‘Alla,” in *Was ist der Mensch, dass du seiner gedenkst? (Psalm 8,5): Aspekte einer theologischen Anthropologie; Festschrift für Bernd Janowski zum 65. Geburtstag*, ed. Michaela Bauks (Neukirchen-Vluyn: Neukirchener Verlag, 2008), 33–53; Blum, “Die Kombination I der Wandinschrift vom Tell Deir ‘Alla: Vorschläge zur Rekonstruktion mit historisch-kritischen Anmerkungen,” in *Berührungspunkte: Studien zur Sozial- und Religionsgeschichte Israels und seiner Umwelt; Festschrift für Rainer Albertz zu seinem 65. Geburtstag*, ed. Ingo Kottsieper et al., AOAT 350 (Münster: Ugarit-Verlag, 2008), 573–601.

31. Blum, “Die altaramäischen Wandinschriften.”

32. Zvi Meshel, ed., *Kuntillet ‘Ajrud (Ḥorvat Teman): An Iron Age II Religious Site on the Judah-Sinai Border* (Jerusalem: Israel Exploration Society, 2012).

the development of writing, but also external, contemporaneous perceptions hint that Israel and Judah had reached a level of cultural development in the ninth to eighth centuries to enable literary text production.

A good example are the Assyrian inscriptions from the mid-ninth century BCE that mention Jehu, the man of Bit-Humri, which means Jehu of the house of Omri. The Black Obelisk even displays Jehu in a picture (bowing in front of the Assyrian king), which is the oldest extant image of an Israelite.³³

Based on these observations about the development of a scribal culture in ancient Israel, we can assume that the earliest texts in the Pentateuch may have originated as literary pieces from the ninth and eighth centuries BCE. But to repeat: This chronological claim pertains only to their literary shape, whereas the oral traditions behind them could be much older, perhaps at times reaching back into the second millennium BCE.

When was the Pentateuch finished? On this matter, three areas of evidence should be named. First, there is the translation into Greek, the so-called Septuagint, which can be dated to the mid-second century BCE.³⁴

33. See Othmar Keel and Christoph Uehlinger, "Der Assyriekönig Salmanassar III. und Jehu von Israel auf dem Schwarzen Obeliken," *ZKT* 116 (1994): 391–420.

34. See, e.g., Folkert Siegert, *Zwischen Hebräischer Bibel und Altem Testament: Eine Einführung in die Septuaginta* (Münster: LIT, 2001), 42–43; Manfred Görg, "Die Septuaginta im Kontext spätägyptischer Kultur: Beispiele lokaler Inspiration bei der Übersetzungsarbeit am Pentateuch," in *Im Brennpunkt: Die Septuaginta; Studien zur Entstehung und Bedeutung der Griechischen Bibel*, ed. Heinz-Josef Fabry and Ulrich Offerhaus, *BWANT* 153 (Stuttgart: Kohlhammer, 2001), 115–30; Siegfried Kreuzer, "Entstehung und Entwicklung der Septuaginta im Kontext alexandrinischer und frühjüdischer Kultur und Bildung," in *Septuaginta Deutsch: Erläuterungen und Kommentare zum griechischen Alten Testament*, ed. Martin Karrer and Wolfgang Kraus (Stuttgart: Deutsche Bibelgesellschaft, 2011), 3–39; Stefan Krauter, "Die Pentateuch-Septuaginta als Übersetzung in der Literaturgeschichte der Antike," in *Die Septuaginta und das frühe Christentum/The Septuagint and Christian Origins*, ed. Thomas S. Cautley and Hermann Lichtenberger, *WUNT* 277 (Tübingen: Mohr Siebeck, 2011), 26–46; Felix Albrecht, "Die alexandrinische Bibelübersetzung: Einsichten zur Entstehungs-, Überlieferungs- und Wirkungsgeschichte der Septuaginta," in *Alexandria*, ed. Tobias Georges, Reinhard Feldmeier, and Felix Albrecht, *Civitas orbis mediterranei studia* 1 (Tübingen: Mohr Siebeck, 2013), 209–43. The oldest manuscript of the Greek Pentateuch is Papyrus Rylands 458, dating to the mid-second-century BCE; cf. John W. Wevers, "The Earliest Witness to the LXX Deuteronomy," *CBQ* 39 (1977): 240–44; Kristin de Troyer, "When Did the Pentateuch Come into Existence? An Uncomfortable Perspective," in *Die Septuaginta: Texte, Kontexte, Lebenswelten, Internationale*

There are some differences, especially in the second tabernacle account of Exod 35–40, but the Septuagint basically points to a completed Pentateuch.³⁵ Second, the books of Chronicles and Ezra–Nehemiah, which probably date to the fourth century BCE, refer to a textual body called either the Torah of YHWH or the Torah of Moses. It is not clear whether this denotes an already completed Pentateuch, but it at least points in this direction.³⁶ Third, the Pentateuch makes no clear allusion to the Persian Empire's fall in the wake of Alexander the Great's conquests.³⁷ The Persian Empire lasted from 539 to 333 BCE, a period perceived in ancient Israel as one of political stability—in some texts even marking the end of history. The loss of this political order was accompanied by numerous questions. Especially in prophetic literature, this event was interpreted as a cosmic judgment. But in the Pentateuch, no text seems to allude to the event directly or indirectly. Therefore, the Pentateuch seems basically to be a pre-Hellenistic text, predating Alexander the Great and the hellenization of the East.

However, there are a few exceptions to the pre-Hellenistic origins of the Pentateuch. The best candidate for a post-Persian, Hellenistic text in the Pentateuch seems to be the “small apocalypse” in Num 24:14–24, which in verse 24 mentions the victory of the ships of the כְּתִים over Ashur and Eber. This text seems to allude to the battles between Alexander and the

Fachtagung veranstaltet von Septuaginta Deutsch (LXX.D), Wuppertal 20.–23. Juli 2006, ed. Martin Karrer and Wolfgang Kraus, WUNT 1/219 (Tübingen: Mohr Siebeck, 2008), 277; Gilles Dorival, “Les origines de la Septante: La traduction en grec des cinq livres de la Torah,” in *La Bible grecque de Septante*, ed. Marguerite Harl, Gilles Dorival, and Olivier Munnich (Paris: Cerf, 1988), 39–82.

35. For Exod 35–40, see, e.g., John W. Wevers, “The Building of the Tabernacle,” *JNSL* 19 (1993): 123–31.

36. See Federico García López, “תורה,” *TWAT* 8:597–637, esp. 627–30; Georg Steins, “Torabindung und Kanonabschluss: Zur Entstehung und kanonischen Funktion der Chronikbücher,” in *Die Tora als Kanon für Juden und Christen*, ed. Erich Zenger, HBS 10 (Freiburg im Breisgau: Herder, 1996), 213–56.

37. See Odil H. Steck, *Bereitete Heimkehr: Jesaja 35 als redaktionelle Brücke zwischen dem Ersten und dem Zweiten Jesaja*, SBS 121 (Stuttgart: Katholisches Bibelwerk, 1985), 52–54; Willem A. M. Beuken, *Jesaja 28–39*, HThKAT (Freiburg im Breisgau: Herder, 2010), 300–27; Konrad Schmid, “Das kosmische Weltgericht in den Prophetenbüchern und seine historischen Kontexte,” in *Nächstenliebe und Gottesfurcht: Beiträge aus alttestamentlicher, semitistischer und altorientalischer Wissenschaft für Hans-Peter Mathys zum 65. Geburtstag*, ed. Hanna Jenni, Markus Saur, and Oskar Kaelin, AOAT 439 (Münster: Ugarit-Verlag, 2016), 409–34.

Persians, as some scholars suggest.³⁸ Other post-Persian elements might be the specific numbers in the genealogies of Gen 5 and 11.³⁹ These numbers build the overall chronology of the Pentateuch and differ significantly in the various versions. But these exceptions are minor. The substance of the Pentateuch seems to be pre-Hellenistic.

7.3. Ideologies or Theologies of the Pentateuch in Their Historical Contexts

If we can assume with some probability that the Pentateuch was written between the ninth and the fourth centuries BCE, how can we reconstruct its literary genesis in greater detail? We should begin by introducing a very general observation. Ancient Israel is part of the ancient Near East. Ancient Israel was a small political entity surrounded by greater and much older empires in Egypt and Mesopotamia. It is therefore more than likely that Israel's literature was deeply influenced by its neighbors and their ideologies and theologies. An extraordinary piece of evidence of cultural transfer is a fragment of the Gilgamesh Epic (dating to the fourteenth century BCE) found in Megiddo in northern Israel. The fragment proves that Mesopotamian literature was known and read in the Levant. Also noteworthy is the text of Darius's late sixth-century Bisitun inscription both in Persia and in Egypt, where it existed as an Aramaic translation.

Of course, there are indigenous traditions in ancient Israel that are not paralleled in other ancient Near Eastern material. But some of the most prominent texts in the Pentateuch creatively adapt the ancient world's

38. Hedwige Rouillard, *La péricope de Balaam (Nombres 22–24)*: *La prose et les "oracles"*, EBib NS 4 (Paris: Gabalda, 1985), 467; Frank Crüsemann, *Die Tora: Theologie und Sozialgeschichte des alttestamentlichen Gesetzes* (Munich: Kaiser, 1992), 403, Hans-Christoph Schmitt, "Der heidnische Mantiker als eschatologischer Jahweprophet: Zum Verständnis Bileams in der Endgestalt von Num 22–24," in "Wer ist wie du, Herr, unter den Göttern?" *Studien zur Theologie und Religionsgeschichte Israels: Für Otto Kaiser zum 70 Geburtstag*, ed. Ingo Kottsieper et al. (Göttingen: Vandenhoeck & Ruprecht, 1994), 185.

39. See Jeremy Hughes, *Secrets of the Times: Myth and History in Biblical Chronology*, JSOTSup 66 (Sheffield: Sheffield Academic, 1990); see the reservations of Ronald Hendel, "A Hasmonean Edition of MT Genesis? The Implications of the Editions of the Chronology in Genesis 5," *HBAI* 1 (2012): 448–64, against a dating of the numbers in MT in the second century BCE.

knowledge, and it is important to discern this background in order to understand the biblical texts properly and with their own emphases.

Addressing this topic exhaustively is not possible at the moment. Instead, I will pick out two well-known examples to demonstrate how prominent biblical texts arose as receptions and adaptations of ancient Near Eastern imperial ideologies. That does not mean that the Bible is not an original text. What it does mean is that the Bible's originality and creativity are not necessarily to be found in the materials it contains, but in the interpretive adaptations that it applies to these materials.

The first example of how the ancient Near East shaped the Pentateuch has to do with the Neo-Assyrian Empire, the preeminent power in the ancient world of the ninth to seventh centuries BCE.⁴⁰ Its ideology was based on the strict submission of the Assyrian king's subordinates, as portrayed in this image (fig. 7.1): here the Assyrian king is the master, and all other kings are to serve him.

The Assyrians secured their power through treaties with their vassals. These treaties usually have a three-part structure, containing an introduction, a corpus of stipulations, and a concluding section with curses. It is noteworthy that the book of Deuteronomy exhibits a similar structure, apparently having been shaped according to the model of an Assyrian vassal treaty. But there is one big difference: the function of Assyrian vassal treaties was to oblige absolute loyalty from subdued people *to the Assyrian king*. The book of Deuteronomy likewise demands absolute loyalty from the people of Israel, but *to God*, not to the Assyrian king.

So the book of Deuteronomy seems to adopt both the structure and the basic concept of an Assyrian vassal treaty, while at the same time reinterpreting it. With Eckart Otto, Thomas Römer, Nathan MacDonald, and others, we therefore can maintain that at least a core of Deuteronomy originated in the late Neo-Assyrian Period in an anti-Assyrian scribal milieu.⁴¹

40. Angelika Berlejung, "The Assyrians in the West: Assyrianization, Colonialism, Indifference, or Development Policy?," in *Congress Volume Helsinki 2010*, ed. Martti Nissinen, VTSup 148 (Leiden: Brill, 2012), 21–60; Eckart Otto, "Assyria and Judean Identity: Beyond the Religionsgeschichtliche Schule," in *Literature as Politics, Politics as Literature: Essays in Honor of Peter Machinist*, ed. David Vanderhooft and Abraham Winitzer (Winona Lake, IN: Eisenbrauns, 2013), 339–47.

41. Nathan MacDonald, "Issues in the Dating of Deuteronomy: A Response to Juha Pakkala," ZAW 122 (2010): 431–35; differently, see Reinhard G. Kratz, "Der literarische Ort des Deuteronomiums," in *Liebe und Gebot: Studien zum Deuteronomium; Festschrift zum 70. Geburtstag von Lothar Perlitt*, ed. Reinhard G. Kratz and Hermann



Fig. 7.1. King Esarhaddon (681–669 BCE), detail of Sam'al Stela of Esarhaddon, 671 BCE, Turkey. Photograph by Osama Shukir Muhammed Amin.

A second example of how the ancient Near East shaped the Pentateuch concerns the Persian Empire. In 539 BCE, the Babylonian Empire was overthrown by the Persians, after which the Persians ruled the entire known ancient world in that part of the globe for the next two hundred years. Persian rule was perceived by many peoples in the Levant as peaceful, with the era seen as a quiet one when various peoples could live according to their own culture, language, and religion. In the Hebrew Bible, nearly every foreign nation except the Persians is addressed with very harsh curses, probably due to their tolerant policy toward those whom they subdued.

In the Pentateuch, we can locate some indications of Persian imperial ideology. A very telling piece is the so-called Table of Nations in Gen 10. This text explains the order of the world after the flood, and it structures the seventy peoples of the globe according to the offspring of Shem, Ham, and Japheth, including three, nearly identical refrains:⁴²

Gen 10:2, 5

בני יפת ... בארצתם איש ללשנו למשפחתם בגויהם

The sons of Japheth ... in their lands, with their own language, by their families, by their nations.

Gen 10:20

אלה בני־חם למשפחתם ללשנתם בארצתם בגויהם

These are the sons of Ham, by their families, by their languages, in their lands, and by their nations.

Gen 10:31

אלה בני־שם למשפחתם ללשנתם בארצתם לגויהם

Spieckermann, FRLANT 190 (Göttingen: Vandenhoeck & Ruprecht, 2000), 101–20; Juha Pakkala, “The Date of the Oldest Edition of Deuteronomy,” ZAW 121 (2009): 388–401; Pakkala, “The Dating of Deuteronomy: A Response to Nathan MacDonald,” ZAW 123 (2011): 431–36.

42. See Jacobus G. Vink, “The Date and the Origin of the Priestly Code in the Old Testament,” in *The Priestly Code and Seven Other Studies*, ed. Jacobus G. Vink, OTS 52 (Leiden: Brill, 1969), 61; Ernst Axel Knauf, “Die Priesterschrift und die Geschichten der Deuteronomisten,” in *The Future of the Deuteronomistic History*, ed. Thomas Römer, BETL 147 (Leuven: Peeters, 2000), 104–5; Christophe Nihan, *From Priestly Torah to Pentateuch: A Study in the Composition of the Book of Leviticus*, FAT 2/25 (Tübingen: Mohr Siebeck, 2007), 383; see also Jacques Vermeylen, “La ‘table des nations’ (Gn 10): Yaphet figure-t-il l’Empire perse?,” *Transeu* 5 (1992): 113–32.

These are the sons of Shem, by their families, by their languages, in their lands, and by their nations.

At first glance, these texts may not look very interesting, but they are quite revolutionary insofar as they tell us that the world is ordered in a pluralistic way. After the flood, God intended humanity to live in different nations, with different lands and different languages. Genesis 10 is probably a Persian-period text reflecting this basic conviction of Persian imperial ideology. The same ideology is also attested, for example, in the Bisitun inscription, which was disseminated widely throughout the Persian Empire.⁴³ The Persian imperial inscriptions declare that every nation belongs to their specific region and has their specific cultural identities (cf. DNa 30–38; XPh 28–35; DB I 61–71). This structure results from the will of the creator deity, as Klaus Koch pointed out in his *Reichsidee und Reichsorganisation im Perserreich*, where he identifies this structure as “Nationalitätenstaat als Schöpfungsgegebenheit.”⁴⁴ Every people should live according to their own tradition and in their own place. This is a radically different political view when compared to the Assyrians and Babylonians, both of whom strove to destroy other national identities, especially by means of deportation. The Persians deported no one, and they allowed people to rebuild their own sanctuaries, such as the temple in Jerusalem that the Babylonians had destroyed.

Once again, though, Gen 10 is not merely a piece of Persian imperial propaganda. It also includes important interpretive changes. Specifically,

43. Rüdiger Schmitt, *The Bisitun Inscriptions of Darius the Great: Old Persian Texts*, vol. 1 of *The Old Persian Inscriptions*, Corpus inscriptionum Iranicarum (London: School of Oriental and African Studies, 1991); Schmitt, *Die altpersischen Inschriften der Achämeniden: Editio minor mit deutscher Übersetzung* (Wiesbaden: Reichert, 2009).

44. Koch, “Weltordnung und Reichsidee im alten Iran und ihre Auswirkungen auf die Provinz Jehud,” in *Reichsidee und Reichsorganisation im Perserreich*, 2nd ed., OBO 55 (Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 1996), 197–201, cf. pp. 150–51: “Das Zurückführen von Göttern und Menschen an ihren, mit Städte- und Tempelnamen gekennzeichneten Ort (*ašru*) rühmen auch akkadische Königsinschriften, vom Prolog des Codex Hammurabi (Ia 65: ‘restore’ ANET 164; TUAT I 41) bis hin zum Kyros-Zylinder (Z. 32; ANET 316; TUAT I, 409). Doch gibt es dabei, soweit ich sehe, nirgends einen Hinweis auf Völker und Länder. Mit Dareios I. setzt also ein neuer, an der Nationenvielfalt ausgerichteter Schöpfungs- und Herrschaftsgedanke durch.”

it is not the Persian king who determines world order; rather, the God of Israel allots every nation its specific place and language. Of course, the Pentateuch eventually makes Israel's specific function in the world clear, but it is important to see that the Bible acknowledges and allows for cultural and religious variety in the world.

These examples highlight the Bible's interaction with imperial ideologies from the ancient Near East, a point that is crucial to see if we are to reconstruct its formation. But how do such different ideologies and theologies go together in the Bible? It is important to see that the Pentateuch in particular and the Bible in general are not uniform pieces of literature. They instead resemble a large cathedral that has grown over centuries. Its content is not the result of one, but rather of many voices; and these different voices establish the overall beauty and richness of the Pentateuch.

The So-Called Yahwist and the Literary Gap between Genesis and Exodus

The Documentary Hypothesis with its four elements J, E, P, D has reached nearly a canonical status within Hebrew Bible scholarship in the twentieth century. The Documentary Hypothesis is based on the assumption that there are three similar narrative accounts of Israel's history from the creation, the ancestors, the exodus to the conquest of the land: J, E, and P. The story line of the Pentateuch was determined to be very old: the so-called Yahwist (J) adapted the structure of the narrative from the creeds of ancient Israel, and the structure of the narrative accounts of E and P were mere epigones or imitations of J. However, in the last thirty years, serious doubts have arisen concerning this model.

Since the work of Rolf Rendtorff and others,¹ a common and simple observation on the narrative structure of the Pentateuch has gained increasing acceptance: The different narrative parts of the Pentateuch—the primeval history, the patriarchal stories, and the exodus story—stand more or less on their own. They seem to be much more autonomous literary units in their original form than parts of a long story from the creation to the conquest of the land. So one may ask: Did the older sources, J and E, really exist?

The weakness of the so-called Elohist source (E) has long been recognized.² Its different parts do not form a continuous narrative account. They are mere fragments. One might consider some texts in Gen 20–22 as

English translation by Anselm C. Hagedorn (Berlin); lightly edited for this volume by Peter Altmann.

1. Rolf Rendtorff, *The Problem of the Process of Transmission in the Pentateuch*, trans. John J. Scullion, JSOTSup 89 (Sheffield: JSOT Press, 1990); trans. of *Das überlieferungsgeschichtliche Problem des Pentateuch*, BZAW 147 (Berlin: de Gruyter, 1977).

2. See Paul Volz and Wilhelm Rudolph, *Der Elohist als Erzähler: Ein Irrweg der Pentateuchkritik? An der Genesis erläutert*, BZAW 63 (Giessen: Töpelmann, 1933).

something like an E source,³ but beyond this it is difficult to postulate an overarching Elohist work extending from the ancestors in Genesis to a conclusion somewhere in the book of Numbers.⁴

The Yahwist (J) has also come under controversial discussion as well in the recent years.⁵ Which texts should to be assigned to J? Does J belong to the period of the Solomonic kingdom, to the eighth century, or to the Babylonian Exile? Where is its literary end? This is not the place to unravel the debate, but it becomes increasingly clear that J as a coherent redactional work can only be detected in the Book of Genesis. The J hypothesis was developed from the texts in the book of Genesis, and it never really fit the other books of the Pentateuch. Martin Noth, for example, wrote at the outset of his commentary on Numbers: “If we were to take the book of Numbers on its own, then we would think not so much of ‘continuous sources.’”⁶

3. However, Gen 22 seems clearly to be a redactional text, see Konrad Schmid, “Returning the Gift of the Promise: The ‘Salvation-Historical’ Sense of Genesis 22 from the Perspective of Innerbiblical Exegesis,” ch. 17 in this volume.

4. The main argument for E proposed by Axel Graupner, *Der Elohist: Gegenwart und Wirksamkeit des transzendenten Gottes in der Geschichte*, WMANT 97 (Neukirchen-Vluyn: Neukirchener Verlag, 2002), 4, 7–8, is the coincidence of the YHWH/Elohim syndrome with textual doublets in the Pentateuch. The observation as such is true for some evident cases (e. g., Gen 1/2–3; Gen 6–9; Gen 15/17; Exod 3–4/6), but these cases lead to the distinction between P and non-P-texts (and not between J and E).

5. See esp. Jan C. Gertz, Konrad Schmid, and Markus Witte, eds., *Abschied vom Jahwisten: Die Komposition des Hexateuch in der jüngsten Diskussion*, BZAW 315 (Berlin: de Gruyter, 2002).

6. Martin Noth, *Numbers: A Commentary*, trans. James D. Martin, OTL (Philadelphia: Westminster, 1968), 4; trans. of *Das vierte Buch Mose: Numeri*, 3rd ed., ATD 7 (Göttingen: Vandenhoeck & Ruprecht, 1977), 7: “Nimmt man das 4. Mosebuch für sich, so käme man nicht leicht auf den Gedanken an ‘durchlaufende Quellen’, sondern eher auf den Gedanken an eine unsystematische Zusammenstellung von zahllosen Überlieferungsstücken sehr verschiedenen Inhalts, Alters und Charakters (‘Fragmentenhypothese’). Aber es wäre eben, wie schon bei der Inhaltsangabe gezeigt wurde, unsachgemäss, das 4. Mosebuch zu isolieren. Es hat im alttestamentlichen Kanon von Anfang an zu dem grösseren Ganzen des Pentateuch gehört; und auch die wissenschaftliche Arbeit an diesem Buch hat immer wieder nur bestätigen können, dass es in diesem grösseren Zusammenhang gesehen werden muss. Es ist daher gerechtfertigt, mit den anderwärts gewonnenen Ergebnissen der Pentateuchanalyse an das 4. Mosebuch heranzutreten und die durchlaufenden Pentateuch-‘Quellen’ auch in diesem Buche zu erwarten, selbst wenn, wie gesagt, der Sachverhalt im 4. Mosebuch von sich

Limiting J to the book of Genesis also means that one leaves behind the usual definition of J, in which J was understood as the main ordering thread of the pre-Priestly Tetrateuch. A Yahwistic work that is limited only to the book of Genesis no longer matches the fundamental criteria of the Documentary Hypothesis. Therefore, it seems appropriate to argue for a “Farewell to J.”⁷ This might sound radical to some ears, but it is a scholarly fact that this perception is gaining increasing acceptance, at least in the European context.⁸

This paper will address the following three observations that lead to the abandonment of the J hypothesis in the sense of a pre-Priestly Tetrateuch. They all have to do with the literary gap between Genesis and Exodus: (1) more generally, there is a certain lack of narrative affinity between these two books; (2) more specifically, the sparse redactional bridges between Genesis and Exodus are mostly late, that is, presupposing P; (3) the findings in P itself show quite clearly that the connection of the patriarchal narratives and exodus is a new creation by its author or authors.

8.1. The Lack in Narrative Affinity between Genesis and Exodus

The narrative movement from Genesis to Exodus is clear, but scholars have long recognized that there is not a smooth transition from one book to the other. Rather, we encounter a decisive break that cannot simply be explained by referring to the oral pre-history of the material as proposed by Gerhard von Rad⁹ and Noth (who at the same time clearly recognized the relative independence of the main themes in the Pentateuch).¹⁰ Instead,

aus nicht gerade auf diese Ergebnisse hinführt.” Unless otherwise noted, all translations are mine.

7. See Gertz, Schmid, and Witte, *Abschied vom Jahwisten*.

8. Cf. Kenton L. Sparks, *The Pentateuch: An Annotated Bibliography* (Grand Rapids: Baker, 2002), 32.

9. Gerhard von Rad, “The Form-Critical Problem of the Hexateuch,” in *The Problem of the Hexateuch and Other Essays*, trans. E. W. Trueman Dicken (London: SCM, 1984), 1–78; trans. of “Das formgeschichtliche Problem des Hexateuchs,” in *Gesammelte Studien zum Alten Testament*, 2 vols., TB 8 and 48 (Munich: Kaiser, 1958–1973), 1:9–86.

10. Martin Noth, *A History of Pentateuchal Traditions*, trans. Bernhard W. Anderson, Scholars Press Reprint 5 (Chico, CA: Scholars Press, 1981); trans. of *Überlieferungsgeschichte des Pentateuch* (Stuttgart: Kohlhammer, 1948).

this break is of a literary nature and thus requires a literary explanation within the framework of the formation of the Pentateuch as a written text. All this is not necessarily new, but the importance and the depth of this caesura has so far been underestimated by assuming that this break was already bridged by the Yahwist in the tenth century BCE and by the Elohist in the eighth century BCE. The following observations do not yet prove specifically the lack of a pre-Priestly connection between Genesis and Exodus, but they set the stage for the following arguments.

(1) The chronology of the transition from the patriarchal period to the exodus gives a first hint concerning the discontinuity between these blocks of literature. P presupposes and integrates a tradition that reckons with a stay of the Israelites in Egypt that lasted for centuries (Exod 12:40–41 [P]: 430 years).¹¹ This stands in contrast to the information in Exod 1:8,¹² which mentions a change in generation after Joseph, and in Exod 2:1 (cf. 6:20) in which Moses is a grandson of Levi on his maternal side—if read in the light of the Genesis tradition (which originally might not be presupposed in Exod 2:1). The extended chronology in P does not reflect a tight literary connection between Genesis and Exodus but merely the knowledge of a formerly independent exodus story, which would have included the notion of a very long oppression of the Israelites in Egypt.

(2) The story of Joseph adds further doubts regarding a continuing *Grundschicht* in Genesis–Exodus, as the J hypothesis would suggest. The narrative goes to great pains to explain why and how Israel ended up in Egypt. However, it does not succeed in creating a wholly plausible transition from the patriarchs to the exodus: The book of Genesis depicts Joseph as an honored man serving at the Egyptian court under a pharaoh who was favorable to him, while also picturing the Israelites as nomads. Yet the same Israelites appear in the beginning of the book of Exodus as poorly treated conscript laborers, a status normally reserved for prisoners of war,

11. LXX and SP are fully aware of this problem and try to harmonize Exod 12:40–41 with Exod 1:8 and 2:1 by stating that the 430 years in Exod 12:40–41 have to be applied to Israel's stay in Canaan and Egypt. See Jeremy Hughes, *Secrets of the Times: Myth and History in Biblical Chronology*, JSOTSup 66 (Sheffield: Sheffield Academic, 1990), 33–36.

12. See Konrad Schmid, *Genesis and the Moses Story: Israel's Dual Origins in the Hebrew Bible*, Siphut 3 (Winona Lake, IN: Eisenbrauns, 2010), 62–65; trans. of *Erzväter und Exodus: Untersuchungen zur doppelten Begründung der Ursprünge Israels innerhalb der Geschichtsbücher des Alten Testaments*, WMANT 81 (Neukirchen-Vluyn: Neukirchener Verlag, 1999), 69–73.

under a pharaoh who is now a cruel despot and who wants to exploit and contain them. This complete change in circumstances and setting of the narrative is only explained by a brief transitional note in Exod 1:6–8, which mentions the death of Joseph and his generation. This text moreover introduces a new pharaoh who is no longer acquainted with Joseph, even though his position of leadership had made him the second most prominent man in the state (cf. Gen 41:37–46). Is that the narrative style of a continuous story? One gets the impression that two already fixed and separate literary blocks were joined together, rather than a single narrative in which events move organically from Genesis to Exodus. The unevenness of the literary relationship between Genesis and Exodus leads to the more precise conclusion: The statement in Exod 1:8, “Now there arose a new king over Egypt, who did not know Joseph,” is a narrative device that contextualizes the story of Joseph because otherwise the story of the exodus cannot be told. This means at the same time that neither was the Joseph story shaped to bridge the gap between Genesis and Exodus. Only by means of later redactional insertions could the story of Joseph fulfill this function as is evident in Gen 50:14.¹³ The forefathers of Israel dwell in the land of Canaan in Gen 50, and it is only by means of the one verse (Gen 50:14) that they are brought back to Egypt to set the stage for the exodus.¹⁴

(3) In a comparable way, the several promises to the patriarchs, which are obviously the most important redactional pieces of cohesion in Genesis,¹⁵ do not imply that they originally focused on the exodus. Among the many promises of the land in Genesis, only one passage (Gen 15:13–16, cf. 50:24) states that the descendants of the patriarchs will have to leave Canaan before the promise of the land will be fulfilled in a second immigration. The other promises in Genesis do not share this view. On the contrary it is quite alien to them as the formulation, “to you and to your descendants,” indicates.¹⁶

13. See Konrad Schmid, “The Joseph Story in the Pentateuch,” ch. 18 in this volume.

14. See Jan C. Gertz, “The Transition between the Books of Genesis and Exodus,” in *A Farewell to the Yahwist? The Composition of the Pentateuch in Recent European Interpretation*, ed. Thomas B. Dozeman and Konrad Schmid, SymS 34 (Atlanta: Society of Biblical Literature, 2006), 73–87.

15. See esp. Erhard Blum, *Die Komposition der Vätergeschichte*, WMANT 57 (Neukirchen-Vluyn: Neukirchener Verlag, 1984).

16. Cf. the chart in Rendtorff, *Problem of the Process of Transmission in the Pentateuch*, 57–58.

In addition, the non-P texts (the traditional J texts) containing promises concerning the increase of descendants do not point to the story of the exodus. The same absence of a literary connection can be noticed in the non-P story in Exodus. The statement about Israel becoming a great people does not refer back to the prominent non-Priestly promises of increase at the beginning of the patriarchal narrative (e.g., Gen 12:2; 13:13).¹⁷ The comparison of the promise of descendants to Abraham in Gen 12:2 and the statement of Pharaoh in Exod 1:9 illustrates the absence of a clear relationship between the two bodies of literature.

Genesis 12:2

And I will make you to a great people [לגוי גדול]

Exodus 1:9

And he [pharaoh] spoke to his people: Behold, the people [עם] of the children of Israel are more [רב] and mightier [ועצום] than we.

On the other hand, it is all the more remarkable that the connections on the P-level are very tight.

Genesis 1:28

Be fruitful [פרו], and multiply [ורבו], and fill [ומלאו] the earth [את הארץ].

Genesis 9:7

And you, be fruitful [פרו], and multiply [ורבו]; increase abundantly [ושרצו] in the earth, and multiply [ורבו] therein.

Genesis 17:2

And I will multiply [וארבו] you exceedingly [במאד מאד].

Exodus 1:7

And the children of Israel were fruitful [פרו], and increased abundantly [ושרצו], and multiplied [ורבו], and waxed [ויעצמו] exceeding mighty [במאד מאד]; and the land [והארץ] was filled [ותמלא] with them.

17. Christoph Levin, *Der Jahwist*, FRLANT 157 (Göttingen: Vandenhoeck & Ruprecht, 1993), 45–46, regards Exod 1:9 (עם ... רב ועצום) as the fulfillment of Gen 12:2 (לגוי גדול) despite the incongruences in the formulations.

If the non-Priestly substance of the patriarchal and exodus narrative was really written by the same author, it would be difficult to explain why he did not correlate the promise to become a great people with its fulfillment, as is done in P. Therefore, it is much more likely that Gen 12:2 and Exod 1:9 were written by different authors rather than to assume that we have here a Yahwistic bridge between Genesis and Exodus.

(4) Finally, the literature from outside the Pentateuch also points to the fundamental separation between the patriarchs and the exodus. The Psalms provide especially strong evidence for the separation between the patriarchs and the exodus. In his research on the historical motifs in the Psalms, Aarre Lauha realized already in 1945 that the sequence patriarchs–exodus is not presupposed.¹⁸ Johannes Kühlewein has come to the same conclusion in 1973 writing:

Except in the late Ps 105, the ancestors do not appear in any of the Psalter's mentions of historical series. If we compare Pss 80:9–12; 135:8–12; or recognizably late series such as Pss 89 or 106, or even 136 itself, which begins with the creation of the world, nowhere is the history of the ancestors even implied. This certainly is not accidental and not explained alone by the fact that these texts concern "free variations of the genre (the historical credo)." Much more likely is the proposal that the original start of the historical sequence was the exodus or Reed Sea tradition, while the tradition of the ancestors first became connected with it over time and was placed in front of the existing material.¹⁹

The prophetic books reinforce the conclusion from the Psalms. Hosea 12 places Jacob and Moses ("a prophet") in opposition to each other. The con-

18. Lauha, *Die Geschichtsmotive in den alttestamentlichen Psalmen*, AASF Series B 16.1 (Helsinki: Helsinki University Press, 1945), 34–35.

19. Kühlewein, *Geschichte in den Psalmen*, Calwer theologische Monographien 2 (Stuttgart: Calwer, 1973), 158: "Ausser im späten Ps 105 finden die Väter in keiner Geschichtsreihe des Psalters Erwähnung. Vergleichen wir Ps 80,9–12; 135,8–12 oder anerkannt späte Reihen wie Ps 78 oder 106, ja selbst 136, der mit dem Bericht von der Erschaffung der Welt einsetzt, nirgendwo ist die Geschichte der Erzväter auch nur angedeutet. Das ist gewiss nicht zufällig und auch nicht allein daraus zu erklären, dass es sich bei den genannten Texten um 'freiere Abwandlungen der Gattung (des geschichtlichen Credo)' handelt. Sehr viel näher legt sich die Annahme, dass der urspr. Einsatz der Geschichtsreihen die Exodus- oder die Schilfmeertradition war, während die Überlieferung von den Vätern erst im Laufe der Zeit damit verbunden und dem bereits Bestehenden vorgeschaltet wurde."

trast is especially striking, and the chapter has been interpreted in detail by Albert de Pury with results that support the assumption of a fundamental separation of the Jacob and the Moses story.²⁰ Furthermore, one could mention texts like Amos 3:11; Mic 7:20; Ezek 20:5; and 33:24, which seem to imply the same thing, but limited space does not allow a detailed discussion here.²¹

8.2. The Redactional Links between Genesis and Exodus

Thus far the general remarks have only shown what appears to be quite obvious, namely, that the current connection between Genesis and Exodus is not of an organic nature but rather a secondary construction. On the basis of these observations, one can already argue the case for a different main redaction of the pre-Priestly material in Genesis on the one hand and in Exodus on the other hand. In other words: J in Genesis and J in Exodus are different J's.

For the stricter version of the thesis of a farewell to the Yahwist that assumes that there has never been a pre-Priestly connection between Genesis and Exodus, we must look closer at the concrete redactional connections between Genesis and Exodus and investigate their exact literary-historical place and date. If one limits the study to the explicit literary connections that refer either backward or forward within the two books, only a few texts deserve closer consideration: Besides the fringes of the books in Gen 50–Exod 1, one should mainly examine Gen 15:13–16 in the book Genesis and Exod 3:1–4:18 in the book of Exodus.²²

David Carr has, furthermore, detected linguistic and content allusions to Exodus—so to speak similar patterns in Genesis and Exodus—in texts like Gen 12:10–20; Gen 16; and Gen 18. He argues for a literary continuation of the patriarchal narrative into the story of Moses before P on the

20. See de Pury, "Osée 12 et ses implications pour le débat actuel sur le Pentateuque," in *Le Pentateuque: Débats et recherches*, ed. Pierre Haudebert, LD 151 (Paris: Cerf, 1992), 175–207; de Pury, "Erwägungen zu einem vorexilischen Stämmejehwismus: Hosea 12 und die Auseinandersetzung um die Identität Israels und seines Gottes," in *Ein Gott allein? JHWH-Verehrung und biblischer Monotheismus im Kontext der israelitischen und altorientalischen Religionsgeschichte*, ed. Walter Dietrich and Martin A. Klopfenstein, OBO 139, (Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 1994), 413–39; and the summary in Schmid, *Genesis and the Moses Story*, 74–76.

21. See Schmid, *Genesis and the Moses Story*, 76–80.

22. See in more detail Schmid, *Genesis and the Moses Story*, 50–70.

basis of such common literary patterns.²³ Of course, it is quite obvious that Gen 12:10–20 and Gen 16:1–16 reflect the story of the exodus (the case of Gen 18 is more difficult to decide).²⁴ However, such references do not constitute obvious cross-references within the same literary work—as is the case with texts such as Gen 15:13–16 and Gen 50:24 that are explicitly pointing ahead to the exodus—but can equally be allusions to or between different books (or more precisely: scrolls). On the basis of this argument, I limit my study to explicit cross-references in order to address the question of the history of redaction of the literary connections between the patriarchs and the exodus.

On the other hand, the methodological inquiry that I am proposing has been criticized by Christoph Levin. His redactional interpretation of the Yahwist has admittedly clarified the literary-historical understanding of the relation between tradition and redaction in the book of Genesis. But Levin allows his Yahwist to continue far beyond Genesis into the book of Numbers (although in a very limited number of texts [only ca. 17 percent of his J]). He also disputes whether the explicit cross-references between Genesis and Exodus (which he generally regards as late) must be interpreted as the work of a post-P author:

The late cross-connections referred to are only the stucco on the long-standing building, not the support beams that hold the structure together. The stucco is on the outside and catches the eye. This gives evidence to the observations. For the statics, however, it is the supporting beams that matter. They are not visible at first sight. One must measure the whole building.²⁵

23. Carr, review of *Erzväter und Exodus*, by Konrad Schmid, *Bib* 81 (2000): 579–83; Carr, “Genesis in Relation to the Moses Story: Diachronic and Synchronic Perspectives,” in *Studies in the Book of Genesis: Literature, Redaction and History*, ed. André Wénin, BETL 155 (Leuven: Peeters, 2001), 273–95, esp. 274 n. 4; see also, Carr, *Reading the Fractures of Genesis: Historical and Literary Approaches* (Louisville: Westminster John Knox, 1996), 185–87, 192–94.

24. See, e.g., Thomas Römer, “Isaac et Ismaël, concurrents ou cohéritiers de la promesse? Une lecture de Genèse 16,” *ETR* 74 (1999): 161–72.

25. Christoph Levin, “Das israelitische Nationalepos: Der Jahwist,” in *Grosse Texte alter Kulturen: Literarische Reise von Gizeh nach Rom*, ed. Martin Hose (Darmstadt: Wissenschaftliche Buchgesellschaft, 2004), 72–73: “Die späten Querverbindungen, auf die man sich bezieht, sind nur der Stuck auf dem längst vorhandenen Gebäude, nicht die Tragbalken, die die Konstruktion zusammenhalten. Der Stuck liegt aussen und fällt ins Auge. Das verleiht den Beobachtungen die Evidenz. Für die

It is possible, of course, that later cross-references accentuate already existing connections. However, if one follows Levin's assumption (which tends to violate the principle of Ockham's razor), then the circumstantial evidence for the mentioned supporting beams should be very clear. In the case of Levin's J that remains doubtful: Levin focuses on four overarching "signs of systematic closure" ["Merkmale ... planvoller Geschlossenheit"]: (1) the selection of the sources used by Levin's J;²⁶ (2) language; (3) the perception/picture of history; and (4) the theme of blessing. Now, already the open-endedness of Levin's Yahwist²⁷ implies a problem for any proof of a systematic conception. In addition, the characteristic features for identifying the supporting beams are, without exception, of a tentative and not a stringent nature. Most problematic is the first sign, since the important exception, namely, the narrative of Abraham, which obviously plays out on Israelite and Judean territory,²⁸ must now be regarded as the exception to prove the rule. According to Levin, the land of Israel had been artificially transformed into foreign territory by the distinction between Israelites and Canaanites in Gen 12:6 (Levin: J) so that now even Abraham lives in a foreign land. The assumption that the Yahwistic work narrates the story of an existence as strangers²⁹ seems a rather forced interpretation of the pre-Priestly account of Abraham and does not recognize that the perspective of the patriarchs as strangers in the land is a distinguishing feature of the Priestly source. The overarching sign of the language addresses an important point, but in the case of Levin's J it cannot be used as a supporting beam for his redactional-historical reconstruction (cf. Levin himself: "However, the criterion of linguistic style must not be handled mechanically; the redaction depends, on the one hand, on its sources and, on the other hand, has influenced the text that was added later on").³⁰

Statik kommt es indessen auf die Tragbalken an. Sie sieht man nicht auf den ersten Blick. Man muss das ganze Gebäude vermessen."

26. Levin, "Das israelitische Nationalepos," 73 ["Alle Erzählungen mit einer Ausnahme spielen ausserhalb des Landes Israel und Juda"].

27. Levin, "Das israelitische Nationalepos," 65 ["Ein regelrechter Abschluss fehlt"].

28. Levin, "Das israelitische Nationalepos," 73.

29. Levin, "Das israelitische Nationalepos," 73 ["Geschichte einer Fremdlingsherrschaft"].

30. Levin, "Das israelitische Nationalepos," 75–76: "Allerdings darf man das Kriterium des sprachlichen Stils nicht mechanisch handhaben; die Redaktion hängt einerseits von ihren Quellen ab und hat andererseits den später noch hinzugekommenen Text beeinflusst."

Similarly problematic is the argument focusing on the perception of history and the topic of blessing: the considerations about those topics may be used to illustrate Levin's synthesis of his J hypothesis, but to use them as support for this hypothesis makes the argument circular. In addition, the Documentary Hypothesis itself already had to admit that the theological program of J, developed in Gen 12:1–3, does not really recur in the following text of J: "In what follows he [the Yahwist] then held firmly—almost without exception—to the received material of the pentateuchal narrative, without intervening into its content to modify or to expand. It sufficed for him to have said plainly at the beginning how he intended to understand everything beyond that."³¹ The topic of blessing is not really helpful for proving the redaction unity of J from Genesis to Numbers.

If, then, the possibilities considered for a closer determination of the author do not yield any clear results ("What can be said about the author who created the Yahwistic work? There are a number of indications. However, they do not yield a consistent picture"),³² the initial suspicion seems to be justified: the supporting beams mentioned cannot support the building.

I refrain from discussing the texts in all their details, since this was done in other contributions by Jan Gertz (on Gen 50–Exod 1) and Thomas Dozeman (on Exod 3–4), and limit myself to the most significant observations on Gen 15 and Exod 3–4,³³ which seem to support a post-P date for these texts.

Traditional scholarship on the Pentateuch has long recognized that Gen 15 is a text *sui generis*.³⁴ Some label the text as the beginning of the Elohist source. Already within the Documentary Hypothesis this assumption is hardly convincing, since Gen 15 never uses "Elohim" but always speaks of Yahweh. Others decide to split the text in Yahwistic and Elohist parts, but that remained equally unconvincing. Thus, suspicion arose that

31. Noth, *History of Pentateuchal Traditions*, 258.

32. Levin, "Das israelitische Nationalepos," 81: "Was lässt sich über den Verfasser feststellen, der das jahwistische Werk geschaffen hat? Es gibt eine Reihe von Indizien. Sie ergeben indessen kein einheitliches Bild."

33. Gertz, "Transition between the Books of Genesis and Exodus"; and Thomas B. Dozeman, "The Commission of Moses and the Book of Genesis," in Dozeman and Schmid, *A Farewell to the Yahwist?*, 107–29.

34. See Schmid, *Genesis and the Moses Story*, 159 nn. 6–10.

Gen 15 has nothing to do with either J or E. However due to the doublet in Gen 17 it cannot be part of P either.

A number of recent studies regard the whole of Gen 15 as a post-Priestly document (Thomas Römer, John Ha, Konrad Schmid, Christoph Levin, Eckart Otto; see also Erhard Blum),³⁵ although the conclusion is not without debate.³⁶ Older scholarship already recognized that Gen 15:13–16, which looks ahead to the oppression of the Israelites in Egypt and the exodus, presupposes P on the basis of the language: רכש (“possession”) in Gen 15:14 and שיבה טובה (“good old age”) in Gen 15:15 are typical expressions of the language of P.³⁷

35. Thomas Römer, “Gen 15 und Gen 17: Beobachtungen und Anfragen zu einem Dogma der ‘neueren’ und ‘neuesten’ Pentateuchkritik,” *DBAT* 26 (1989–1990): 32–47; John Ha, *Genesis 15: A Theological Compendium of Pentateuchal History*, BZAW 181 (Berlin: de Gruyter, 1989); Schmid, *Genesis and the Moses Story*, 158–71; Levin, *Der Jahwist*, 151; Levin, “Jahwe und Abraham im Dialog: Gen 15,” in Witte, *Gott und Mensch im Dialog*, 237–57; Eckart Otto, *Das Deuteronomium im Pentateuch und Hexateuch*, FAT 30 (Tübingen: Mohr Siebeck, 2000), 219–20; Erhard Blum, “Die literarische Verbindung von Erzvätern und Exodus: Ein Gespräch mit neueren Endredaktionshypothesen,” in Gertz, Schmid, and Witte, *Abschied vom Jahwisten*, 119–56.

36. See Jan C. Gertz, “Abraham, Mose und der Exodus: Beobachtungen zur Redaktionsgeschichte von Gen 15,” in Gertz, Schmid, and Witte, *Abschied vom Jahwisten*, 63–81. He detects a basic layer in Gen 15:1*, 2a, 4–10, 17–18 that contains critical allusions to the Exodus and Sinai (esp. 15:7, 17–18) and was most likely written within the frame of a patriarchal narrative that stands in competition with the Exodus tradition. By inserting Gen 15:11, 13–16, a post-P redaction later transformed Genesis into a prologue to Exodus. Gertz’s literary and theological analysis is certainly possible even if the connection of 15:10, 12 is not very elegant and the Priestly allusions in 15:7, 17–18 either have to be qualified (Gertz thinks it is possible that Gen 15:7 is not influenced by Gen 11:28 but vice versa that the place name “Ur-Kasdim” has been added to Gen 11:27–32 because of Gen 15:7 [“Abraham, Mose und der Exodus,” 72–73]) or neglected (the qualification of the promise of the land as covenant is otherwise only known to P, see Schmid, *Genesis and the Moses Story*, 167 and n. 64). In addition to that we should ask whether the complexity of Gen 15—rightly stressed by Gertz—and here especially the addition of 15:13–16 cannot be explained without using literary-critical operations; rather the verses seem to show the attempt to harmonize quite disparate blocks of tradition with equally disparate theologies within the framework of a new concept. Tensions within the text not only indicate literary growth but can also be influenced by the matter of things; especially in Gen 15, a text that now clearly links Genesis and Exodus, we can expect a complex train of thoughts within a single text.

37. In addition to Gen 15:14, רכש occurs in Gen 12:5; 13:6; 31:18; 46:6 (all P); cf. also Gen 14:11–12, 16, 21; Num 16:32; 35:5; Ezra 1:4, 6; 8:21; 10:8; 2 Chr 21:14, 17;

15:13–15: Then YHWH said to Abram: Know for certain that your offspring will be sojourners in a land that is not theirs and will be servants there, and they will be afflicted for four hundred years. (14) But I will bring judgement on the nation that they serve, and afterward they shall come out with great possessions [רַבִּישׁ]. (15) As for yourself, you shall go to your fathers in peace; you shall be buried in a good old age [שִׁבְיָה טוֹבָה].

If the only explicit reference in Genesis that looks ahead to Exodus is a post-P text, what, one may ask, forces us to assume a pre-Priestly connection of Genesis and Exodus? In the light of the fundamental divergence of the material in the two books, such an assumption does not seem to be very likely.

The findings in Exod 3–4 point in a similar direction. Here also, traditional source criticism realized that Exod 3:1–4:18 interrupts the flow of the narrative of the exodus story. Noth, for example, regards the chapters as an addition to J.³⁸ The reason for that was both simple and obvious. Prior to Noth, Julius Wellhausen and Wilhelm Rudolph already saw that there is a close connection between Exod 2:23a α and 4:19,³⁹ a connection that is now interrupted by the P insertion in Exod 2:23a β –25 and the call of Moses in 3:1–4:18: Like Exod 2:15–23a α , Exod 4:19 is situated in Midian and originally seems to have immediately followed 2:23a β .⁴⁰ The Septuagint explicitly stresses this connection of 2:23a α and 4:19, since it repeats 2:23a α again before 4:19:

And it came to pass in process of time, that the king of Egypt died (< MT). And YHWH said to Moses in Midian, Go, return into Egypt: for all the men are dead who sought your life. (Exod 4:19 [LXX])

32:29; in addition to Gen 15:15, שִׁבְיָה טוֹבָה occurs in 25:8 (P; cf. also Judg 8:32; 1 Chr 29:28); cf. Ha, *Genesis 15*, 94–95; Levin, “Jahwe und Abraham im Dialog,” 249–50.

38. Noth, *History of Pentateuchal Traditions*, 30 n. 103.

39. Julius Wellhausen, *Die Composition des Hexateuchs und der historischen Bücher des Alten Testaments*, 3rd ed. (Berlin: Reimer, 1899), 71; Volz and Rudolph, *Der Elohist als Erzähler*, 6–7 (W. Rudolph); for more recent views, see Schmid, *Genesis and the Moses Story*, 174 n. 108.

40. For older opinions disputing such findings, see Schmid, *Genesis and the Moses Story*, 174 n. 110; for more recent ones, see Blum, “Die literarische Verbindung,” 123 n. 20.

Also, the name used for Moses's father-in-law distinguishes Exod 3:1–4:18 from its context: in 3:1 and 4:18 he is called Jethro, while in 2:18 his name is Reuel.

The fact that this addition either in whole or in part must to be dated after P seems the most likely option to me. The same has been argued by Hans-Christoph Schmitt, Otto, Gertz,⁴¹ and—for Exod 4—also by Blum.⁴² In Exod 3 it is remarkable that the crying of the Israelites in Exod 3:7, 9 to which YHWH hearkens has previously only been reported in Exod 2:23b (P) and that this passage seems to be presupposed here.⁴³ If we move on to Exod 6, the Priestly counterpart to the call of Moses in Exod 3–4, we realize that this text does not seem familiar with Exod 3–4,⁴⁴ a fact that is surprising only if one holds to a pre-Priestly dating of Exod 3–4. Rather, Exod 3–4 integrates the problems that Exod 6 unfolds in a narrative way after the call of Moses: the narrative account of the Israelite people not listening to Moses in Exod 6 is stated as a problem by Moses in Exod 3, even though he has not yet spoken to the Israelites. In addition, Exod 3 changes the location of the call of Moses to the holy mountain, which appears to be a secondary setting for the commission of Moses from its given setting in the land of Egypt in Exod 6.

If the explicit connection of Genesis and Exodus in Gen 15 and Exod 3–4 is a post-Priestly composition, the conclusion is not far away that Genesis and Exodus were not connected on a pre-Priestly level. Looking

41. Hans-Christoph Schmitt, "Redaktion des Pentateuch im Geiste der Prophezie," *VT* 32 (1982): 170–89, esp. 186–89; Eckart Otto, "Die nachpriesterschriftliche Pentateuchredaktion im Buch Exodus," in *Studies in the Book of Exodus: Redaction-Reception-Interpretation*, ed. Marc Vervenne, BETL 126 (Leuven: Leuven University Press, 1996), 101–11; Jan C. Gertz, *Tradition und Redaktion in der Exoduserzählung: Untersuchungen zur Endredaktion des Pentateuch*, FRLANT 186 (Göttingen: Vandenhoeck & Ruprecht, 2000), 233–327.

42. Blum, "Die literarische Verbindung," 123–27.

43. The references to Gen 16:11; 18:20–21; 19:13—passages showing that the hearkening of YHWH can be reported without previously narrating the crying—only demonstrate the possibility of an alternative, but more complicated explanation; see Rainer Kessler, "Die Querverweise im Pentateuch: *Überlieferungsgeschichtliche* Untersuchung der expliziten Querverbindungen innerhalb des vorpriesterlichen Pentateuchs" (ThD diss., University of Heidelberg, 1972), 183; Gertz, *Tradition und Redaktion*, 186–87; Blum, "Die literarische Verbindung," 124–25.

44. See Schmid, *Genesis and the Moses Story*, 182–83 nn. 148–50.

at P itself further supports this view. P indicates that significant conceptual work was undertaken to join these two blocks of tradition.

8.3. The Connection of the Patriarchs with the Exodus in P

It is commonly accepted that the Priestly source remains a well-defined body of literature in pentateuchal criticism and that the source extends through the books of Genesis and Exodus. The extent of the Priestly source can clearly be demonstrated by its special language, its overall structure, and the manifold literary references between its texts. We can neglect the question of the literary character of P—source or redaction⁴⁵—as well as the problem of its literary end since it is only important for our current enterprise to state that P runs from the book of Genesis into the book of Exodus. To the best of my knowledge, this is not disputed by any of the scholars who accept the hypothesis of Priestly literature in the Pentateuch.

Within the framework of traditional source criticism, the extension of P through Genesis, Exodus, and beyond has not been a point of debate—because the presentation of history in P was thought to be an imitation of both J and E. But this assumption seems highly unlikely: As its inner argumentation shows quite clearly, P could not take over the connection between the patriarchal narrative and the story of the exodus from an older tradition but obviously placed two originally independent corpora of tradition for the first time in a logical sequence.

(1) First and foremost, we have to look at the crucial passage in the Priestly report of the call of Moses in Exod 6:2–8:⁴⁶

45. See Schmid, *Genesis and the Moses Story*, 48 and n. 318 (bibliography).

46. The grammatical problems of the verse have frequently been discussed (see esp. W. Randall Garr, “The Grammar and Interpretation of Exodus 6:3,” *JBL* 111 [1992]: 385–408); generally, the half-verse 3b is interpreted as a sentence with a double subject (ושמי/יהוה). I think a simpler solution should be preferred according to the parallelism in 6:2–3 as identified above (A, B, A', B') and as indicated by the accentuation (*zaqeph qaton* after יהוה ושמִי) probably also preferred by the Masoretes: “My name is YHWH; I did not reveal myself to them.” Most likely the use of the language was influenced by Ezekiel (יָדַע *niphal* in the first-person singular in the Hebrew Bible only used of God [other than Exod 6:3 only Ezek 20:5, 9; 35:11; 38:23]); Exod 6 shows further references to Ezekiel (see Bernard Gosse, “Exode 6,8 comme réponse à Ézéchiél 33,24,” *RHPR* 74 [1994]: 241–47; Erhard Blum, *Studien zur Komposition des Pentateuch*, BZAW 189 [Berlin: de Gruyter, 1990], 236 n. 31); this would add further support to the proposed translation.

- A I am YHWH
- B And I appeared unto Abraham, unto Isaac, and unto Jacob, as El Shaddai
- A' But my name is YHWH
- B' I have not revealed myself to them

According to this statement, P advocates a progressive theory of revelation that distinguishes between two stages. God has revealed himself to the patriarchs as El Shaddai, but now he announces that his name is YHWH. This theory is rigorously retained throughout the entire text of the Priestly source with the notable and much debated exception in Gen 17:1; a text that most likely serves to provide additional information for the reader and does not concern Abraham: For the patriarchs God introduces himself as El Shaddai, for Moses and his generation he is YHWH.

This theory is so well known among exegetes that one hardly ever bothers to ask why P makes such a distinction. Sometimes it has been argued that P adopts the theological perspective of E, since E makes a similar change from Elohîm to YHWH in Exod 3, but this does not explain the use of El Shaddai. On a methodological level, it is hardly convincing to use a problematic hypothesis like E to explain literary problems of other texts.

If we investigate the internal logic of P, there is little reason to separate the period of the patriarchs from the one of the exodus. For P the time of Moses is that of the fulfilment of the promises to Abraham,⁴⁷ and a qualitative separation of the two is far from natural for P. Admittedly, the revelation of the name of YHWH becomes necessary for the cult that originates with Moses.⁴⁸ The name YHWH serves the purpose of cultic address and the like. But at the same time this theory of a progressive revelation of God's name in stages also becomes obviously necessary to combine two divergent blocks of tradition. So P still shows that it

47. See already Walther Zimmerli, "Sinaibund und Abrahambund: Ein Beitrag zum Verständnis der Priesterschrift," *TZ* 16 (1960): 268–80; repr., *Gottes Offenbarung: Gesammelte Aufsätze zum Alten Testament*, TB 19 (Munich: Kaiser, 1963), 212; following him Bernd Janowski, *Sühne als Heilsgeschehen: Traditions- und religionsgeschichtliche Studien zur priesterschriftlichen Sühnetheologie*, 2nd ed., WMANT 81 (Neukirchen-Vluyn: Neukirchener Verlag, 2000), 9.

48. See Blum, *Komposition des Pentateuch*, 295–96.

regarded the patriarchal narrative as something like the “Old Testament of the Old Testament.”⁴⁹

Thus Exod 6:2–8 supports the view already found in the non-P material of Genesis–Exodus: In its conception of history, P newly combines two blocks of tradition that have quite different literary and theological origins and profiles. This combination needs a new logical and theological justification, which P provides in Exod 6:2–8. This shows quite clearly that P was unable to utilize an already known sequence of the epochs of the history of Israel that could simply be reproduced with a slightly different focus; rather P had to create this sequence from scratch. The fusing of the divergent concepts of God is a remarkable accomplishment by P.

(2) Equally remarkable is P’s introduction and qualification of the patriarchs as “strangers” in the land of Canaan: Only in the Priestly texts of Genesis are the patriarchs labeled “strangers” (גרים)⁵⁰ (Gen 17:8; 23:4;⁵¹ 28:4; 35:27; 36:7; 37:1, cf. the retrospective in Exod 6:4). This was already

49. R. Walter L. Moberly, *The Old Testament of the Old Testament: Patriarchal Narratives and Mosaic Yahwism*, OBT (Minneapolis: Fortress, 1992).

50. The substantive גרים is only found in P in Genesis–Exodus (see Robert Martin-Archard, “גרים,” *THAT* 1:409), on the expression ארץ גרים in P and its translation, see Blum, *Die Komposition der Vätergeschichte*, 443; Matthias Köckert, “Das Land in der priesterlichen Komposition des Pentateuch,” in *Von Gott reden: Beiträge zur Theologie und Exegese des Alten Testaments; Festschrift für Siegfried Wagner zum 65. Geburtstag*, ed. Dieter Vieweger and Ernst-Joachim Waschke (Neukirchen-Vluyn: Neukirchener Verlag, 1995), 156 and n. 30 (see also Michaela Bauks, “Die Begriffe מורשה and ארץ גרים in P⁵: Überlegungen zur Landkonzeption der Priestergrundschrift,” *ZAW* 116 [2004]: 171–88). A bit more differentiated but not necessarily opposing is the evidence regarding the verb גר: It occurs in Genesis in Priestly and non-Priestly texts (Gen 12:10; 19:9; 20:1; 21:23; 26:3; 32:5; 35:27; 47:4). Here 35:5 belongs to P; 19:9 refers to Lot in Sodom; 20:1 to Abraham in Gerar; 35:2 refers to Jacob at Laban’s place; 47:4 refers to Joseph’s brother in Egypt; and in 21:23 it is Abimelech talking to Abraham. Only Gen 26:3 is a non-Priestly statement; here God states that Isaac has “dwelled as a stranger” in Gerar, but Gerar was foreign territory during the period of monarchy (cf., e.g., Karl Elliger, “גור,” *BHH* 1:547–48).

51. On the discussion whether Gen 23 belongs to P, see Blum, *Die Komposition der Vätergeschichte*, 441–46 (differently, Thomas Pola, *Die ursprüngliche Priesterschrift: Beobachtungen zu Literarkritik und Traditionsgeschichte von Pg*, WMANT 70 [Neukirchen-Vluyn: Neukirchener Verlag, 1995], 308–9). Gerhard von Rad concluded that, as far as Gen 23 was concerned, at the time of their death the patriarchs were already heirs and no longer aliens (*Die Priesterschrift im Hexateuch: Literarisch untersucht und theologisch gewertet*, BWANT 65 [Stuttgart: Kohlhammer, 1934], 51; cf. also Pola, *Die ursprüngliche Priesterschrift*, 309).

noted by von Rad, but he concluded that the same concept was already present in J, even though J did not use the same terminology.⁵² This is however simply eisegesis. Rather it becomes apparent that the labeling of the patriarchs as “strangers” (גרִים) who could not acquire any land⁵³ is only necessary if—in contrast to the non-Priestly promise of the land—the descendants of the patriarchs had to leave the Holy Land first in order to take possession of it again after the exodus from Egypt several centuries later. The depiction of the patriarchs as strangers in Canaan and its literary confinement to the Priestly texts is only clear within the framework of the assumption that Genesis and Exodus were distinct bodies of literature before P.

(3) Finally, we must examine the concrete literary form of the Priestly transition from the period of the patriarchs to the exodus.⁵⁴ There is a considerable consensus about which texts in Gen 37–50 should be attributed to P.⁵⁵ At the same time, there seems to be a similar consensus that

52. Von Rad, *Die Priesterschrift im Hexateuch*, 69.

53. Ulrich Kellermann, “גרִים,” *TDOT* 2:445; on the legal status of the גר, see 439–49; Christoph Bultmann, *Der Fremde im antiken Juda: Eine Untersuchung zum sozialen Typenbegriff “ger” und seinem Bedeutungswandel in der alttestamentlichen Gesetzgebung*, FRLANT 153 (Göttingen: Vandenhoeck & Ruprecht, 1992), 17–22, 34–212, describes the status according to the different legal corpora in the Hebrew Bible.

54. There are several problems with the study of the Priestly texts in Gen 37–50 by Rüdiger Lux, though to this point it remains the most detailed (“Geschichte als Erfahrung: Erinnerung und Erzählung in der priesterschriftlichen Rezeption der Josefsnovelle,” in *Erzählte Geschichte: Beiträge zur narrativen Kultur im alten Israel*, BThSt 40 [Neukirchen-Vluyn: Neukirchener Verlag, 2000], 147–80). He introduces a textual basis that he calls a critically secured minimum [“kritisch gesichertes Minimum”], which is surprising since we simply do not have—on a methodological level—either critical secured minima or maxima. Even a minimalist set of texts (in comparison to other exegetes, Lux’s text is certainly no minimalist) can contain wrong attributions. Lux remarks on these texts: “Die Durchmusterung der Stellen legt den Schluss nahe, dass es sich hier nicht um Fragmente einer ursprünglich eigenständigen Josefserzählung handelt, sondern eher um eine redaktionelle Bearbeitung derselben im Geiste von P” (151). *Tertium non datur?* He states on such a third possibility: “Der fragmentarische Charakter von P in der Josefsnovelle ist allerdings noch kein hinreichender Grund, P insgesamt den Status einer selbständigen Quellschrift abzusprechen und in ihr eine redaktionelle Bearbeitungsschicht zu sehen” (151 n. 14). However, it is exactly that which his observations seem to imply.

55. For table 8.1, see, respectively, Wellhausen, *Die Composition*, 51–52; Noth, *History of Pentateuchal Traditions*, 18; Karl Elliger, “Sinn und Ursprung der priesterlichen Geschichtserzählung,” *ZTK* 49 (1952): 121–43; repr., *Kleine Schriften zum Alten Testa-*

we can find nothing but fragments of the original Priestly presentation of the story of Joseph.⁵⁶ This opinion is mainly based on the attribution of the full verse of Gen 37:2 to P.

These are the generations of Jacob [אלה תלדות יעקב]. Joseph, being seventeen years old, was pasturing the flock with his brothers. He was a boy with the sons of Bilhah and Zilpah, his father's wives. And Joseph brought a bad report of them to their father.

This is the only specific mention of Joseph in the commonly recognized P texts in Gen 37–50. If, however, one follows the proposal by de Pury and limits the Priestly parts of this verse to אלה תלדות יעקב, one arrives at an acceptable and complete description of the *eisodos* within P without an account of Joseph, but with an Israelite stay in Egypt of 430 years summarized later in Exod 12:40–41.⁵⁷

ment, ed. Hartmut Gese and Otto Kaiser, TB 32 (Munich: Kaiser, 1966), 174; Norbert Lohfink, "Die Priesterschrift und die Geschichte," in *Congress Volume Göttingen 1977*, ed. John A. Emerton, VTSup 29 (Leiden: Brill, 1978), 189 n. 29; repr., *Studien zum Pentateuch*, SBAB 4 (Stuttgart: Katholisches Bibelwerk, 1988), 222 n. 29; Levin, *Der Jahwist*, 262, 271, 285, 305, 309, 315; Herbert Donner, *Die literarische Gestalt der alttestamentlichen Josephsgeschichte*, SHAW (Heidelberg: Winter, 1976), 7 n. 3; Albert de Pury, "Le cycle de Jacob comme légende autonome des origines d'Israël," in *Congress Volume Leuven 1989*, ed. John A. Emerton, VTSup 43 (Leiden: Brill, 1991), 82; Carr, *Reading the Fractures of Genesis*, 271; Horst Seebass, *Genesis III: Josephsgeschichte* (37,1–50,26) (Neukirchen-Vluyn: Neukirchener Verlag, 2000), 211; Reinhard G. Kratz, *The Composition of the Narrative Books of the Old Testament*, trans. John Bowden (London: T & T Clark, 2005), 241, 275; trans. of *Die Komposition der erzählenden Bücher des Alten Testaments: Grundwissen der Bibelkritik*, UTB 2157 (Göttingen: Vandenhoeck & Ruprecht, 2000), 243, 281; Lux, "Geschichte als Erfahrung," 150–51.

56. See Noth, *History of Pentateuchal Traditions*, 13–14; Levin, *Der Jahwist*, 271.

57. On P without an account of Joseph, see also Rendtorff, *Problem of the Process of Transmission in the Pentateuch*, 138–40. John Van Seters in his response to this contribution ("The Report of the Yahwist's Demise Has Been Greatly Exaggerated!," in *Farewell to the Yahwist? The Composition of the Pentateuch in Recent European Interpretation*, ed. Thomas B. Dozeman and Konrad Schmid, SymS 34 [Atlanta: Society of Biblical Literature, 2006], 143–57) has raised severe criticism against such a hypothesis. This criticism, however, does not address the central issues. (1) There are some minor corrections to be made concerning Van Seters's objections. He writes: "Following the introduction in 37:1–2a α : 'Jacob lived in the land of his father's sojourning, in the land of Canaan. These are the generations of Jacob,' we expect some narrative account of Jacob's sons in Canaan" (148). An examination of the *toledot*-formula, e.g.,

Table 8.1. Synoptic overview of the attributions to P in Gen 37–Exod 1

	Wellhausen	Noth	Elliger	Lohfink	Levin	Donner	DePury	Carr	Seebass	Kratz	Lux
37	2	1.2a*.b	1-2	1-2	1, 2a*, b	1-2	1	2	2a*	2	1, 2a
41	(46a)	46a	46a	46a	46a	46a		(46a)	46a		46a
45								19-21	19b-21a*		
46	6-7(8-27)	6-7(8-27)	6-7	6-7	6-7	6-27	6-7(8-27)	*5-7, 8-27	6-7 ^a	6-27	6-7(8-27)
47	5, 6a, 7-11, 27b, 28	27b, 28		27b, 28	27-28	5a*, 6a, 7-11, 27b, 28	27*, 28 (29-31)	(5, 6a, 7-10), 11, 27b, 28	5b, 6-11, 28	27f	5*, 6a, 7-11, 27b, 28
48	3-6(7)	3-6	3-6	3-6		3-6		3-6 ^b	3-6		3-7
49	(28,) 29-33	1a, 29-33	1a, 28b-33	1a, 28b-33	1a, 28*b*, 29-33a*, b	1a, 28b, 29-33	1a, 29-30 (30-31), 32-33	1a, 29-33	29-33	1a, 29-33	1a, 28b, *29-33
50	12-13	12-13	12-13	12-13	12-13, 22b	12-13	12-13	12-13, 22-23, 26a	12-13	12-13	12-13
1		1-7, 13-14	1-7, 13-14	1-5, 7, 13-14	13-14f		1-6a, 7, 13-14	1-5, 7, 13-14		13-14	

a. Is missing on page 211, but not disputed on page 122 as P (117: 5b-7).

b. Is missing in the chart on page 271.

(37:1) Jacob lived in the land of his father's sojournings, in the land of Canaan. (2) These are the generations of Jacob.

(46:6) And they took their livestock and their goods, which they had gained in the land of Canaan, and came into Egypt—Jacob and all his offspring with him, (7) his sons, and his sons' sons with him, his daughters, and his sons' daughters. All his offspring he brought with him into Egypt.

(47:27) Thus Israel settled in the land of Egypt, in the land of Goshen. And they gained possessions in it, and were fruitful and multiplied greatly. (28) And Jacob lived in the land of Egypt 17 years. So the days of Jacob, the years of his life, were 147 years.

(49:1a) Then Jacob called his sons (49:29) and he commanded them and said to them, "I am to be gathered to my people; bury me with my fathers in the cave that is in the field of Ephron the Hittite, (30) in the cave that is in the field at Machpelah, to the east of Mamre, in the land of Canaan, which Abraham bought with the field from Ephron the Hittite to possess as a burying place. (31) There they buried Abraham and Sarah his wife. There they buried Isaac and Rebekah his wife, and there I buried Leah— (32) the field and the cave that is in it were bought from the Hittites." (33) When Jacob finished commanding his sons, he drew up his feet into the bed and breathed his last and was gathered to his people.

in Gen 2:4a and 36:1 shows that such an expectation is unwarranted. In addition, Van Seters also objects to the continuation of Gen 37:1–2aα in the plural formulation of 46:6–7. The syntax in 46:6–7 is unusual but by no means impossible, the plural subject is explicitly given in 46:6b: "Jacob and all his offspring with him." Finally, Van Seters makes the reader believe that I am not attributing Exod 1:1–5 to P (with reference to my *Genesis and the Moses Story*, 26) and that therefore in my reconstruction of P, Exod 1:13–14 would have immediately followed Gen 50:13, with the result that an *eisodos* account would be lacking in P. This is a misreading of the argumentation in *Genesis and the Moses Story*, 28 n. 165, where I point to the difficulties of considering Exod 1:1–5 as a P text without concluding that Exod 1:1–5 could not be attributed to P. In the meantime, I am now ready to follow Jan C. Gertz's argument and identify Gen 50:14 as P (Gertz, "Transition between the Books of Genesis and Exodus"), despite Van Seters's criticism of Gertz. (2) Van Seters's interpretation of the P texts in Gen 37 to Exod 1 assumes his notion of P as a redactional layer and not as an independent source. Although this hypothesis has become attractive to many recent interpreters, the theory is becoming increasingly difficult to maintain. Already the sequence in Gen 1–3 or in Gen 6–9 indicates clearly that P cannot be conceived purely as a redaction. I must refrain from pointing out further arguments here, and I refer instead to Klaus Koch, "P—kein Redaktor! Erinnerung an zwei Eckdaten der Quellenscheidung," *VT* 37 (1987): 446–67; and more recently to Gertz, *Tradition und Redaktion*.

On the Israelite stay in Egypt, see recently Gertz, *Tradition und Redaktion*, 58 with n. 126 (bibliography).

(50:12) Thus his sons did for him as he had commanded them, (13) for his sons carried him to the land of Canaan and buried him in the cave of the field at Machpelah, to the east of Mamre, which Abraham bought with the field from Ephron the Hittite to possess as a burying place.

The assumption of such a small literary bridge between the patriarchs and the exodus in P converges now with a generally recognized aspect of the internal analysis of the Joseph story, namely, that it was not composed—as argued by Noth—as the literary joint between patriarchs and exodus. Rather the plot and the connecting literary devices show that the story was originally attached to the patriarchal narrative before it was transformed into the connecting link, as a secondary literary development.⁵⁸ Thus the connection of the patriarchs and the exodus made by P—without an elaborate Joseph story—indicates that it does not presuppose a pre-Priestly connection of the patriarchs and the exodus in an earlier composition of the story of Joseph. Otherwise, one would have to expect that P also had a Joseph story.

8.4. Conclusion

How can one summarize these observations and considerations? (1) The history of research aptly demonstrates that the hiatus between Genesis and Exodus was always recognized (cf. esp. Kurt Galling and Noth),⁵⁹ but this hiatus was only fully utilized after the classic theory of an old Hexateuch (J) started to dissolve in the 1970s. (2) Both the narrative substance of the book of Genesis as well as its reception outside the Pentateuch support the suspicion that this text was not written from the beginning as a prelude to the book of Exodus. (3) Explicit literary connections between Genesis and Exodus appear only in Priestly texts or texts that presuppose P. (4) P itself shows that it creates something new by joining the patriarchal narrative with the exodus. This is accomplished with a progressive revelation by stages of the divine name and the newly created qualification of the patriarchs as “strangers.” In addition, P does not seem to be familiar with the Joseph story as a bridge between Genesis and Exodus. (5) A pre-Priestly

58. See Schmid, “The Joseph Story in the Pentateuch,” ch. 18 in this volume.

59. Galling, *Die Erwählungstraditionen Israels* (Giessen: Töpelmann, 1928); Noth, *History of Pentateuchal Traditions*.

connection between Genesis and Exodus cannot be proven and does not seem likely.

8.5. Consequences for the History of Religion and Theology

The redaction-historical separation of Genesis and Exodus before P has fundamental consequences for our understanding of the history of religion and theology of the Hebrew Bible. First, it is obvious that a farewell to the Yahwist must abandon the thesis so popular in the twentieth century that the religion of ancient Israel is based on salvation history (*Heilsgeschichte*). The fact that such a view can no longer be maintained has been made clear by the numerous archaeological finds discovered and published in the past years.⁶⁰ One has to envisage the religion of Israel differently than the biblical picture suggests. The polemics of the Deuteronomists are probably closer to the preexilic reality in ancient Israel than the normative-orthodox statements in the Bible that promulgate a monotheism based on salvation history.⁶¹

Without the Yahwist, the paradigm of clear discontinuity between ancient Israel and its neighbors can no longer be maintained. This paradigm of discontinuity developed in the wake of dialectical theology. It presupposed that Israel, from its very beginning, occupies a very special place in the ancient Near East. But if there was no early (i.e., Solomonic) or at least monarchic (Josianic) conception of a salvation history that begins with the creation and ends with the conquest of the land—be it as a detailed historical work or simply as a short creed⁶²—Israel must be seen

60. See, e.g., Othmar Keel and Christoph Uehlinger, *Göttinnen, Götter und Gottessymbole: Neue Erkenntnisse zur Religionsgeschichte Kanaans und Israels aufgrund bislang unerschlossener ikonographischer Quellen*, 5th ed., QD 134 (Freiburg im Breisgau: Herder, 2001); and Christoph Hardmeier, ed., *Steine-Bilder-Texte: Historische Evidenz ausserbiblischer und biblischer Quellen*, ABIG 5 (Leipzig: Evangelische Verlagsanstalt, 2001); Friedhelm Hartenstein, "Religionsgeschichte Israels—ein Überblick über die Forschung seit 1990," *VF* 48 (2003): 2–28.

61. See Manfred Weippert, "Synkretismus und Monotheismus: Religionsinterne Konfliktbewältigung im alten Israel," in *Jahwe und die anderen Götter: Studien zur Religionsgeschichte des antiken Israel in ihrem syrisch-palästinischen Kontext*, FAT 18 (Tübingen: Mohr Siebeck, 1997), 1–24.

62. See Jan C. Gertz, "Die Stellung des kleinen geschichtlichen Credo in der Redaktionsgeschichte von Deuteronomium und Pentateuch," in *Liebe und Gebot: Studien zum Deuteronomium; Festschrift zum 70. Geburtstag von Lothar Perlt*, ed. Rein-

in continuity rather than discontinuity with its neighbors. The paradigm of discontinuity is not a peculiarity of ancient Israel but rather a characteristic feature of Judaism of the Persian period, which projected its ideals back into the Hebrew Bible. This insight is not really new and also remains possible if one is advocating a late dating of the Yahwist (or its equivalents) closer to the environment of the Deuteronomistic literature.

We arrive at a new perspective, however, if we realize that the patriarchal narrative and the story of the exodus stood next to each other as two competing concepts containing two traditions of the origins of Israel with different theological profiles. Even behind the carefully crafted final form of the Pentateuch, the different conceptions remain apparent.⁶³ The patriarchal narrative is constructed as primarily autochthonous and inclusive, while the story of the exodus is allochthonous and exclusive.⁶⁴ Of course, such a polar opposition can only serve as a model, but it points, nevertheless, to a basic difference between the two blocks of tradition. To be more precise: the patriarchal narrative constructs a picture of the origin of Israel in its own land—a fact that is especially prominent in the specific formulations of the promises of the land that do not presuppose several centuries between promise and fulfilment.⁶⁵ At the same time, the patriarchal story is both theologically and politically inclusive: the different gods can—without any problems—be identified with YHWH, and the patriarchs dwell together with the inhabitants of the land and make treaties with them. In contrast, the story of the exodus stresses Israel's origin abroad in Egypt and puts forward an exclusive theological argument: YHWH is a jealous god that does not tolerate any other gods besides him, and the Israelites shall not make peace with the inhabitants of the land.

These divergent concepts cannot be fully grasped theologically if one regards them from the beginning as part of the same logical literary order—an order that, to my mind, is secondary. Rather, the patriarchal narrative and the story of the exodus existed next to each other (and not following each other) as two competing stories of the origin of Israel.

hard G. Kratz and Hermann Spieckermann, *FRLANT 190* (Göttingen: Vandenhoeck & Ruprecht, 2000), 30–45.

63. See de Pury, “Le cycle de Jacob,” 78–96; de Pury, “Osée 12”; de Pury, “Erwägungen zu einem vorexilischen Stämmejahwismus.”

64. In more detail Schmid, *Genesis and the Moses Story*, 109–16, 145–51.

65. The promise is addressed to the patriarch himself and to his descendants. See the chart in Rendtorff, *Problem of the Process of Transmission in the Pentateuch*, 57–58.

The Pentateuch and Its Theological History

9.1. The Relationship between the Compositional and Theological Histories of the Pentateuch

Pentateuchal scholarship is generally considered complex, which is only partly justified by the object of study.¹ External observers especially pass on and magnify this impression, and this has for some time begun to take on a life of its own. The controversy over approaches to the composition of the Pentateuch is often emphasized as an important cause for this complexity. However, even this element should be qualified: it arises, viewed globally, primarily from the exaggerated attention granted to the approach of the small but attention-grabbing group of the so-called neo-documentarians who support the “mechanical mosaic hypothesis” for the Pentateuch that Wellhausen classified as “crazy.”² They divide up the present text of the Pentateuch with the expectation of the almost complete

1. See recently Thomas Römer, “Zwischen Urkunden, Fragmenten und Ergänzungen: Zum Stand der Pentateuchforschung,” *ZAW* 125 (2013): 2–24; Römer, Jean-Daniel Macchi, and Christophe Nihan, eds., *Einleitung in das Alte Testament: Die Bücher der Hebräischen Bibel und die alttestamentlichen Schriften der katholischen, protestantischen und orthodoxen Kirchen* (Zurich: TVZ, 2013), 120–68, as well as the contributions in Thomas B. Dozeman, Konrad Schmid, and Baruch Schwartz, eds., *The Pentateuch: International Perspectives on Current Research*, FAT 78 (Tübingen: Mohr Siebeck, 2011).

2. See Joel S. Baden, *The Composition of the Pentateuch: Renewing the Documentary Hypothesis* (New Haven: Yale University Press, 2012), see also the exchange between Baden, “The Continuity of the Non-Priestly Narrative from Genesis to Exodus,” *Bib* 93 (2012): 161–86; and Konrad Schmid, “Genesis and Exodus as Two Formerly Independent Traditions of Origins for Ancient Israel,” *Bib* 93 (2012): 187–208. See Julius Wellhausen, “An Adolf Jülicher,” in *Briefe*, ed. Rudolf Smend (Tübingen: Mohr Siebeck, 2013), 78.

possibility for distribution among the traditional source documents and also build one redactor reluctantly into their theory, for certainly someone must have combined the sources.³

With European, especially German-speaking scholarship, one can certainly point out contours of something of a partial consensus.⁴ This consensus makes it possible to consider new synthetic questions—such as the theological history of the Pentateuch.⁵ Such questions are themselves appropriate for supporting, modifying, or also critiquing the construction of hypotheses concerning the history of textual formation. While the compositional history of the Pentateuch can certainly be depicted on

3. Joel S. Baden, *J, E, and the Redaction of the Pentateuch*, FAT 72 (Tübingen: Mohr Siebeck, 2009), 8–9, maintains concerning the redactor, “he is a necessary side-effect of the recognition of multiple sources in the text, not a primary feature of the theory. The theory demands a redactor, because the sources were evidently combined by someone—but no more than one” (see also 289, 305, as well as the detailed description on 255–86). In the same manner, Baruch Schwartz delineates the function of the redactor on the example of Gen 37: “How the Compiler of the Pentateuch Worked: The Composition of Genesis 37,” in *The Book of Genesis. Composition, Reception, and Interpretation*, ed. Craig A. Evans, Joel N. Lohr, and David L. Petersen, VTSup 152 (Leiden: Brill, 2012), 263–78; Schwartz, “Joseph’s Descent into Egypt: The Composition of Genesis 37” [Hebrew], in *The Joseph Story in the Bible and throughout the Ages*, ed. Le’ah Mazor, Beth Mikra 55 (Jerusalem: Magnes, 2010), 1–30. The German-speaking exponents of the Documentary Hypothesis instead argue with considerably more complexity; see, e.g., Ludwig Schmidt, “Im Dickicht der Pentateuchforschung: Ein Plädoyer für die umstrittene Neuere Urkundenhypothese,” VT 60 (2010): 400–420.

4. See, e.g., Jean Louis Ska, *Introduction to Reading the Pentateuch* (Winona Lake, IN: Eisenbrauns, 2006); and Jan C. Gertz, Angelika Berlejung, Konrad Schmid, and Markus Witte, *T&T Clark Handbook of the Old Testament: An Introduction to the Literature, Religion and History of the Old Testament*, trans. Peter Altmann (London: T&T Clark, 2012), 237–305.

5. *Theological history* conventionally can often denote only the history of *Christian* theology (keeping with the limitation of theology to Christianity, see Gerhard Ebeling, “Theology: I: Begriffsgeschichtlich,” RGG³ 6:769), often even restricted to the past two hundred years (see Ulrich Köpf, “Theologiegeschichte/Theologiegeschichtsschreibung,” RGG 8:315–22, esp. 317). The application of the term theological history to the pre-Christian traditions of the Hebrew Bible presupposes the now multiple decades of practice of the expansion of the notion of theology to non-Christian traditions, which has its roots in Gerhard von Rad’s broad conception of theology (see Konrad Schmid, *Is There Theology in the Hebrew Bible?*, trans. Peter Altmann, CrStHB 4 [Winona Lake, IN: Eisenbrauns, 2015], 6 n. 5, 52 n. 19; trans. from *Gibt es Theologie im Alten Testament? Zum Theologiebegriff in der alttestamentlichen Wissenschaft*, ThSt (B) NS 7 [Zurich: TVZ, 2013], 14 n. 5, 57 n. 17).

its own, something mechanical is often inherent to such presentations. They do not allow for the recognition of the rich content and historically contextualized nature of the text, but rather convey the mechanical impression mentioned above. If one attempts to trace the dynamic of the theological history of the formation of tradition, then this process can sometimes relieve the observed content gap.

It is neither possible now nor in the foreseeable future to formulate detailed hypotheses on the formation of the Pentateuch—this lies in the complexity of the literary evidence and the paucity of external data.⁶ The following discussion will, therefore, only provide a sketch of several comparatively easily recognizable observations with regard to the formation of tradition of the Pentateuch and its theological-historical logic.

This contribution takes a special interest in positioning the theological-historical question as an approach with its own shape and value in addition to the literary-historical one. In present German-speaking scholarship, the terms *literary history* and *theological history* are often used indiscriminately. The two enquiries naturally contain areas of overlap, but they can also be profiled individually, which the following will attempt for the theological history of the Pentateuch.⁷ This will serve to determine

6. There are no texts of the Hebrew Bible from the biblical period, though worthy of discussion are the silver amulets from Ketef Hinnom from the seventh century BCE, which offer a text similar to Num 6:24–26; see Angelika Berlejung, “Der gesegnete Mensch: Text und Kontext von Num 6,22–27 und den Silberamuletten von Ketef Hinnom,” in *Mensch und König: Studien zur Anthropologie des Alten Testaments; Rüdiger Lux zum 60. Geburtstag*, ed. Angelika Berlejung and Raik Heckl, HBS 53 (Freiburg im Breisgau: Herder, 2008), 37–62; Berlejung, “Ein Programm fürs Leben: Theologisches Wort und anthropologischer Ort der Silberamulette von Ketef Hinnom,” *ZAW* 120 (2008): 204–30.

7. In recent scholarship, Reinhard G. Kratz, *Biblical and Historical Israel: The History, Tradition, and Archives of Israel and Judah*, trans. Paul Michael Kurtz (Oxford: Oxford University Press, 2015); trans. of *Historisches und biblisches Israel: Drei Überblicke zum Alten Testament* (Tübingen: Mohr Siebeck, 2013), e.g., highlights an analogous distinction within his presentation—advancing to a “A Sketch of Literary History” of the Hebrew Bible (pp. 105–32)—the “Transformation into Biblical Tradition (pp. 75–92), which concern the prophetic (76: “From Weal to Woe”), the narrative (p. 79: “From the People of State to People of God”), the legal (p. 84: “From Justice to Law”), the Psalmic tradition (p. 87: “From Divine Kingship to Kingdom of God”), and the wisdom tradition (p. 90: “From Sages to Pious”): “One can describe this transformation in a makeshift manner as ‘theologization.’ This means nothing more than continual theological reflection of the established tradition and its own innate theo-

that the theological history of the Pentateuch, while not solely, is to a noteworthy degree describable as political theological history—analogue to the political orientation of the portions of its text or rather the (critical or affirmative) reception of ancient Near Eastern political ideologies in them.⁸ However, attention will first be called to an important difference in the history of scholarship on the question selected here between the traditional Documentary Hypothesis and recent theoretical formations.⁹

9.2. The Theological History of the Pentateuch according to the Traditional Documentary Hypothesis

For as prominently and even widely treated as the classical Documentary Hypothesis was in German scholarship, it still remains conspicuous that comparatively little attention was accorded to its reconstruction and description of the theological-historical development of the Pentateuch. The traditional literary history of composition is, on the other hand, frequently presented, and, therefore, the corresponding presentations of the past century advanced to become textbook knowledge.

The neglect of the theological history is probably linked to two characteristics of the Documentary Hypothesis. First, three postulated sources, despite their differences in detail, all follow the salvation-historical structure. This structure already shaped the Yahwistic history, which for its sake was

logical or other ideological implications as well as the transportation in the theological conceptions of biblical literature with their various—prophetic, theology of history, legal, cultic, and wisdom—emphases” (100). See also Christoph Levin, *Das Alte Testament* (Munich: Beck, 2001), 21–27, 59–65. Unless otherwise noted, all translations are by the author.

8. See Jan Assmann, *Herrschaft und Heil, Politische Theologie in Ägypten, Israel und Europa* (Munich: Hanser, 2000), 29–31; for an overview, Konrad Schmid, “Anfänge politikförmiger Religion: Die Theologisierung politisch-imperialer Begriffe in der Religionsgeschichte des antiken Israel als Grundlage autoritärer und toleranter Strukturmomente monotheistischer Religionen,” in *Religion–Wirtschaft–Politik: Forschungszugänge zu einem aktuellen transdisziplinären Feld*, ed. Antonius Liedhegener, Andreas Tunger-Zanetti, and Stephan Wirz (Zurich: Pano, 2011), 161–77. See also Wolfgang Oswald, *Staatstheorie im Alten Israel: Der politische Diskurs im Pentateuch und in den Geschichtsbüchern des Alten Testaments* (Stuttgart: Kohlhammer, 2009).

9. See also Hermann Spieckermann, “Der Mythos Heilsgeschichte: Veränderte Perspektiven in der alttestamentlichen Theologie,” in *Arbeit am Mythos: Leistung und Grenze des Mythos in Antike und Gegenwart*, ed. Annette Zgoll and Reinhard G. Kratz (Tübingen: Mohr Siebeck, 2013), 145–66.

already prescribed by the traditional content of the formulations of the creed, and which can also be observed in the Elohist and in the Priestly document. The basic theological imprint therefore remains essentially constant in the three most important literary components of the Pentateuch. This determination promises little gain for a description of the theological history and, as a result, the question was rarely investigated.¹⁰ Gerhard von Rad at least identifies the differences between the theological emphasis of the ancient creed and that of the sources, but he then treats the themes of the Pentateuch within his chapter “The Theology of the Hexateuch” mostly corresponding to their original weight within the creed rather than their complex reception with the source documents.¹¹

10. See, e.g., the presentation by Leonard Rost, “Zum geschichtlichen Ort der Pentateuchquellen,” *ZTK* 53 (1956): 1–10; or Martin Noth’s descriptions of the theologies of J (pp. 256–59) and P (pp. 259–67) in *A History of Pentateuchal Traditions*, trans. and with an introduction by Bernhard W. Anderson, Scholars Press Reprint 5 (Chico, CA: Scholars Press, 1981). It is clear for Noth that already the “*theology of J* maintained the most theological importance that is generally expressed in the narrative of the Pentateuch” (256, emphasis original). The theology of the Pentateuch therefore already appears complete at the outset of its literary history in a paradigmatically complete form.

11. On the theological differences, see Gerhard von Rad, *Theologie des Alten Testaments*, 2 vols. (Munich: Kaiser, 1957–1960), 1:143= *Old Testament Theology*, trans. David Stalker, 2 vols. (New York: Harper, 1962–1965), 1:129: “The old Credo in Deut. xxvi. 5ff., and the other historical summaries as well, ranged the various data alongside one another without differentiation—no attempt at all was made to mark off certain highlights or decisive moments. However, as this simple and compact picture of the history was elaborated by means of complexes of tradition which were so very different from one another and of such diverse theological importance, it became essential to organise this history in some way, to divide it into periods.”

The “Theology of the Hexateuch” chapter is structured according to “The Primeval History,” “The History of the Patriarchs,” “The Deliverance from Egypt,” “The Divine Revelation at Sinai,” “The Wandering in the Wilderness,” “The Conception of Moses and His Office,” and “The Granting of the Land of Canaan.” Deuteronomy (219–31) and the Priestly Document (232–79) are—even more surprising for Deuteronomy than for the Priestly Document—in tune with the “Divine Revelation on Sinai.” Does it hold true here as well that “the arrangement of the material was never von Rad’s strength?” (Rudolf Smend, *Deutsche Alttestamentler in drei Jahrhunderten* [Göttingen: Vandenhoeck & Ruprecht 1989], 247). The same is also the case for the central covenant theology that von Rad viewed as quite original: “In traditions that are pronouncedly ancient, Israel preserved the memory that Jahweh had granted her a covenant relationship” (von Rad, *Theology of Israel’s Historical Traditions*, 130).

On the other hand, the confidence in the reconstructability of the source documents motivated and pushed an isolating point of view that could inquire into the kerygma or the theology of the Yahwist, the Elohist, or the Priestly document¹² but developed little interest for the inquiry into overarching theological-historical developments. Where this took place in beginning stages, such descriptions were bound to an evolution as decadence model.¹³

For the Documentary Hypothesis, the theology of the Pentateuch primarily concerns the revelation of God in salvation history, and God could be described divergently by the different authors of the Pentateuch with regard to the details, but the main features remain the same—somewhat comparable with the different perspectival accents of the history of Jesus of Nazareth by the gospels.

Therefore, for some Hebrew Bible scholars, such as Friedrich Baumgärtel, the Pentateuch's conception of God was less determined by cultural and historical factors than it was founded and influenced by the theology of revelation. The religion of the Hebrew Bible, especially easy to recognize in the Pentateuch, according to Baumgärtel, protrudes out with its "basic understanding ... of God ... like an erratic block from the religions of its environment."¹⁴

However, the God of the Pentateuch in this perspective was primarily the God of the *biblical* Pentateuch, which is especially influenced by the interpretive perspective of its foundational writing, the Priestly document. A complex theological-historical understanding of God according to the historically evolved Pentateuch, according to the view of current scholarship, with its radical interpretive insertions that allow for the recognition and reconstruction of its most important literary components—the ancestral narratives, the exodus narrative, Deuteronomy, the primeval

12. See, e.g., Hans Walter Wolff, "Das Kerygma des Jahwisten," *EvT* 24 (1964): 73–98; repr., *Gesammelte Studien zum Alten Testament*, TB 22 (Munich: Kaiser, 1964), 345–74; John Van Seters, "The Theology of the Jahwist: A Preliminary Sketch," in "Wer ist wie du, Herr, unter den Göttern?" *Studien zur Theologie und Religionsgeschichte Israels: Festschrift für Otto Kaiser*, ed. Ingo Kottsieper et al., (Göttingen: Vandenhoeck & Ruprecht, 1994), 219–28; Walter Brueggemann, "The Kerygma of the Priestly Writers," *ZAW* 84 (1972): 397–413; Georg Braulik, *Studien zur Theologie des Deuteronomiums* (Stuttgart: Katholisches Bibelwerk, 1988), as well as above n. 11.

13. See, once again, Noth, *History of Pentateuchal Traditions*, 256–67.

14. Friedrich Baumgärtel, "Monotheismus und Polytheismus II. im AT," *RGG*³ 4:1113.

history, the Priestly document, and its post-Priestly continuations¹⁵—distinguishes itself quite significantly, at least in its diachronically informed approach.

9.3. Developments in the Theological History of the Pentateuch

At least within the context of German-speaking scholarship on the Pentateuch, one can easily recognize that certain fundamental convictions have become clear with regard to the historical placement of larger textual portions of the Pentateuch. They are, on the one hand, quite justifiable, and on the other, have received comparably broad recognition.¹⁶ The above-mentioned most important components of the Pentateuch, the ancestral narratives, the exodus narrative, Deuteronomy, the primeval history, the Priestly document, and the post-Priestly continuations can be arranged in order of their earliest literary material (they all contain, without exception, wide-reaching continuations, that reach as far as the conclusion of the literarily productive redactions and work on the editions of the Pentateuch, and in part also earlier oral stages).¹⁷ The details of the literary-historical classifications are naturally debated; however, for starters the diachronic relationship between Deuteronomy and the Priestly document is sufficiently clearly ascertainable (even though the discussion of Ur-Deuteronomy has once again been placed in flux,¹⁸ and there is increasing differentiation between the probable greater antiquity of the cultic stipulations in contrast to the age of the narrative sketches into which these stipulations are embedded).¹⁹ Also comparatively justifiable is the placement of the literary beginnings of the exodus narrative in the Neo-Assyrian period and the formation of the traditions of the ancestral narratives, which in part reach somewhat further back into the monar-

15. On this see the foundational discussion by Kratz, *Historisches und biblisches Israel*.

16. On the discussion see, e.g., Römer, Macchi, and Nihan, *Einleitung in das Alte Testament*, 120–68; Kratz, *Historisches und biblisches Israel*, 128–32.

17. For an overview, see Konrad Schmid, *The Old Testament: A Literary History*, trans. Linda M. Maloney (Minneapolis: Fortress, 2012); trans. of *Literaturgeschichte des Alten Testaments: Eine Einführung* (Darmstadt: Wissenschaftliche Buchgesellschaft, 2008; 2nd ed. 2014), and below.

18. See below n. 59 as well as the presentation by Eckart Otto, *Deuteronomium 1,1–4,43*, HThKAT (Freiburg im Breisgau: Herder, 2012), 108–18.

19. See below, n. 62.

chic period. The evaluation of the non-Priestly primeval history remains difficult, but it likely does not stem completely from post-Priestly continuations, though at the same time is not too distant in its formation history from the Priestly document.

9.3.1. The Ancestral Narratives

Within the ancestral narratives of Gen 12–36, one can identify compositions, in particular in the Jacob cycle (Gen 25–35*) but also in the Abraham cycle (Gen 12–21*),²⁰ that trace back to the Judahite monarchy, and for the Jacob narratives, including their stages of oral prehistory, also to the time of the Israelite monarchy.²¹

20. On the Jacob cycle, see Albert de Pury, “The Jacob Story and the Beginning of the Formation of the Pentateuch,” in *Die Patriarchen und die Priesterschrift: Les Patriarches et le document sacerdotal; Gesammelte Studien zu seinem 70. Geburtstag; Recueil d’articles, à l’occasion de son 70e anniversaire*, ATANT 99 (Zurich: TVZ, 2010), 147–69; Erhard Blum, “The Jacob Tradition,” in *The Book of Genesis: Composition, Reception, and Interpretation*, ed. Craig A. Evans, Joel N. Lohr, and David L. Petersen, VTSup 152 (Leiden: Brill, 2012), 181–211; Israel Finkelstein, *The Forgotten Kingdom: Archaeology and History of Northern Israel*, ANEM 5 (Atlanta: Society of Biblical Literature, 2013), 141–44. On the Abraham cycle, see Matthias Köckert, “Die Geschichte der Abraham-überlieferung,” in *Congress Volume Leiden 2004*, ed. André Lemaire, VTSup 109 (Leiden: Brill, 2006), 103–28; Israel Finkelstein and Thomas Römer, “Comments on the Historical Background of the Abraham Narrative: Between ‘Realia’ and ‘Exegetica,’” *HBAI* 3 (2014): 3–23; but also Albert de Pury, “Genesis 12–36: Die Erzelterngeschichten,” in Römer, Macchi, and Nihan, *Einleitung in das Alte Testament*, 196–216.

21. On the Jacob narratives in general, see Erhard Blum, *Die Komposition der Vätergeschichte*, WMANT 57 (Neukirchen-Vluyn: Neukirchener Verlag, 1984), 258–63; Blum, “Jacob Tradition,” 207–10; Reinhard G. Kratz, *The Composition of the Narrative Books of the Old Testament*, trans. John Bowden (London: T&T Clark, 2005), 273; trans. of *Die Komposition der erzählenden Bücher des Alten Testaments: Grundwissen der Bibelkritik*, UTB 2157 (Göttingen: Vandenhoeck & Ruprecht, 2000), 279; Finkelstein, *Forgotten Kingdom*, 141–44, see also Israel Finkelstein and Lily Singer-Avitz, “Reevaluating Bethel,” *ZDPV* 125 (2009): 33–48. For the narratives’ oral prehistory, an example appears in the, at least in parts still worthwhile, reconstruction of the earlier stages of Gen 28* by Victor Maag, “Zum Hieros Logos von Beth-El,” in *Kultur, Kulturkontakt und Religion: Gesammelte Studien zur allgemeinen und alttestamentlichen Religionsgeschichte*, ed. Hans-Heinrich Schmid and Odil H. Steck (Göttingen: Vandenhoeck & Ruprecht, 1980), 29–37, see further Harald Martin Wahl, *Die Jakobserzählungen: Studien zu ihrer mündlichen Überlieferung, Verschriftung und Historizität*, BZAW 258 (Berlin: de Gruyter, 1997).

One can hardly conceive of an independent Isaac tradition; the strongest possibility appears in the narrative located in the south (Gerar) of Gen 26* as an originally independent Isaac narrative. However, Isaac serves as the destination point of the Abraham tradition (Gen 21*). According to Amos 7:9, 16 (“heights of Isaac,” “House of Isaac”), he can also serve as an eponym for the Southern Kingdom.

In view of the antiquity of the texts in Gen 12–36, one should, however, also reckon with an expanded number of texts that originated first in the Persian period (e.g., Gen 15, 22, or 24),²² so the ancestral stories are not simply old.

With regard to the theological logic of the process of the transcription of the Jacob cycle, analogous considerations can be employed to those that account for the formation of early prophetic texts.²³ The Jacob cycle is more and something different from the documentation of a collection of previously independent Jacob narratives—whether they were transmitted orally or already set in writing. While it has become questionable in recent scholarship whether one can identify previously independent *literary* units within the cycle,²⁴ one cannot easily exclude the presence of earlier

22. On Gen 15, see John Ha, *Genesis 15: A Theological Compendium of Pentateuchal History*, BZAW 181 (Berlin: de Gruyter, 1989); Matthias Köckert, “Gen 15: Vom ‘Urgestein’ der Vaterüberlieferung zum ‘theologischen Programmtext’ der späten Perserzeit,” *ZAW* 125 (2013): 25–48. On Gen 22, see Timo Veijola, “Das Opfer des Abraham: Paradigma des Glaubens aus dem nachexilischen Zeitalter,” *ZTK* 85 (1988): 129–64; Konrad Schmid, “Returning the Gift of the Promise: The ‘Salvation-Historical’ Sense of Genesis 22 from the Perspective of Innerbiblical Exegesis,” ch. 17 in this volume. For Gen 24, see Blum, *Die Komposition der Vätergeschichte*, 383–89; Kratz, *Composition*, 272; an earlier basic inventory is recognized by Christoph Levin, *Der Jahwist*, FRLANT 157 (Göttingen: Vandenhoeck & Ruprecht, 1993), 189–96.

23. See Reinhard G. Kratz, “Die Redaktion der Prophetenbücher,” in *Prophetenstudien: Kleine Schriften II*, FAT 74 (Tübingen: Mohr Siebeck, 2011), 32–48; see for this perspective on the Jacob narrative esp. Kratz, *Historisches und biblisches Israel*, 107–8.

24. See Blum, *Die Komposition der Vätergeschichte*, 66–203; Blum, “Die Komplexität der Überlieferung: Zur diachronen und synchronen Auslegung von Gen 32,23–32,” in *Textgestalt und Komposition: Exegetische Beiträge zu Tora und Vordere Propheten*, FAT 69 (Tübingen: Mohr Siebeck, 2010), 43–84 (on Gen 28* his correction in Blum, “Noch einmal: Jakobs Traum in Bethel; Genesis 28,10–22,” in *Textgestalt und Komposition*, 21–41); Levin, *Der Jahwist*, 217–18, 251–52 (for Gen 28* and 32*); Kratz, *Composition*, 261 (“Thus round the core of Gen [25:] 27–35 were placed the Jacob–Laban story in Gen. 29–31 and the fraternal conflict between Jacob and Esau Gen. [25:] 27–28 and Gen. 32–33, in which again the local aetiologies of Beth-el in Gen. 28[and 35] and

stages as such—whether they were oral or written, or whether they can be reconstructed or not. The theological history of the Pentateuch begins with the composition of the Jacob cycle, even if this is merely with comparably modest stages of the explication of theology.²⁵

Decisive in this process is, on one hand, the reinterpretive expansion of the preexisting (oral or written) traditions (esp. in Gen 28:10–19* and 32:2–32*) that are still marked by local conceptions of God (Bethel, Penuel) concerning the notion of a deity whose potency and approachability is no longer bound to a place (cf. esp. Gen 28:20–22: “If God is with me and protects me”), and on the other hand the interpretation of Jacob as “Israel” (i.e., as the Northern Kingdom of Israel),²⁶ in distinction primarily from “Edom.”²⁷ The definition of the relationship between Jacob/Israel and Esau/Edom in Gen 25–35 is, remarkably, not simply a linear reflection of changing historical realities, but it appears to follow its entirely own conceptual theological aims that should not be interpreted by means of political allegorizing. The issue of the efficacy of Jacob’s stolen blessing, which should protect his hegemony over Esau (Gen 27:29) is especially noteworthy here. For while Jacob does receive this blessing from Isaac, in actual reality, Esau does not bow before Jacob, but on the contrary, Jacob bows seven times before Esau (Gen 33:1–11).²⁸ In all the turmoil of the

Penuel in Gen. 32 stand out as separate traditions.”); see also Albert de Pury, *Genèse 28 et les traditions patriarcales*, vol. 2 of *Promesse divine et légende culturelle dans le cycle de Jacob*, EBib (Paris: Gabalda, 1975); de Pury, “Situer le cycle de Jacob: Quelques réflexions, vingt-cinq ans plus tard,” in *Die Patriarchen und die Priesterschrift*, 119–46.

25. On the distinction between implicit and explicit theology in the Hebrew Bible, see Schmid, *Is There Theology*, 49–56.

26. See most recently—with the proposal of a post-Priestly categorization for Gen 32:29—Jakob Wöhrle, *Fremdlinge im eigenen Land: Zur Entstehung und Intention der priesterlichen Passagen der Vätergeschichte*, FRLANT 246 (Göttingen: Vandenhoeck & Ruprecht 2012), 80–90, 106–7.

27. On the possible historical background between Israel and Edom that established the close relationship in the Jacob cycle, see Blum, “Jacob Tradition,” 208–10. Of special interest are the discoveries from Kuntillet ‘Ajrud; see Zvi Meshel, ed., *Kuntillet ‘Ajrud (Horvat Teman): An Iron Age II Religious Site on the Judah-Sinai Border* (Jerusalem: Israel Exploration Society, 2012), which attests to contacts with the south in the north (“YHWH of Samaria”).

28. See Konrad Schmid, “Die Versöhnung zwischen Jakob und Esau (Genesis 33,1–11),” in *Jacob: Commentaire à plusieurs voix de Gen. 25–36*, ed. Jean-Daniel Macchi and Thomas Römer, MdB 44 (Geneva: Labor et Fides, 2001), 211–26. On the proposal of a composition-critical reconstruction of the Jacob narrative in which

history of Israel and Edom, the memories of which could definitely provide a backdrop for these narrative developments, the twist of the blessing motif is likely motivated primarily by theological consideration. The blessing does not come about by magical means, and Jacob can do without the power promised to him.

The Jacob cycle fundamentally links God and the people to one another in a new way.²⁹ Israel's God is not a numen linked to a location, but a God that is "with him," "protects" him, and cares for him (Gen 28:20). It is noteworthy that a royal figure is missing in the Jacob cycle. It is unclear whether one must necessarily conclude that this indicates postmonarchic formation, for the cycle prominently emphasizes the locale of Bethel, which was undeniably a "royal sanctuary" (*mqdš mlk*) and a "temple of the kingdom" (*byt mmlkh*, Amos 7:13), while Peniel points to one of the royal residences of the Northern Kingdom (see 1 Kgs 12:25).³⁰

The Jacob cycle therefore rests on an initial theologizing of the pre-existing tradition, which, however, had yet to activate the theme of promise. This theme appears instead to have its historical home in the Abraham tradition, specifically in the divine visitor narrative of Gen 18*. The form-critical analysis of this tradition depends on the promise of the son—the anonymous divine visitor brought along a gift, in this case the promise of a son—so the original tradition likely included this element: "Surely next year I will come to you again. Then Sarah, your wife, will have a son" (Gen 18:10).³¹ Beginning from Gen 18, the theme of promise developed into a link connecting the Jacob and the Abraham cycles—either already after the demise of the Northern Kingdom,³² or, perhaps more likely, first after

Esau originally received the blessing of the firstborn, see Kratz, *Composition*, 267; see Konrad Schmid, "Zurück zu Wellhausen?" *TRu* 69 (2004): 314–28.

29. See the foundational discussion of Reinhard G. Kratz, "Israel als Staat und als Volk," *ZTK* 97 (2000): 1–17, esp. 13–14.

30. See Blum, *Die Komposition der Vätergeschichte*, 175–86; modified in Blum, "Jacob Tradition," 209–10; see further Wolfgang Zwickel, "Peniel," *BN* 85 (1996): 38–43. The founding royal myth of the Hebrew Bible appears at about the same time in the form of the David tradition in the books of Samuel; see Kratz, *Composition*, 314–15; see also Walter Dietrich, *David: Der Herrscher mit der Harfe*, *Biblische Gestalten* 14 (Leipzig: Evangelische Verlagsanstalt, 2006), 98–200.

31. See Claus Westermann, *Genesis 12–36*, BKAT 1.2 (Neukirchen-Vluyn: Neukirchener Verlag, 1981), 33–34; on the composition-criticism, cf. on one side Levin, *Der Jahwist*, 155–58, and on the other Kratz, *Composition*, 270–72.

32. See, e.g., Kratz, *Composition*, 260, 264.

the demise of the Southern Kingdom.³³ For the promises of progeny and of land extend and reinterpret the political orientation of the Abraham and Jacob cycles in light of a poststate but all-Israel perspective. It activates a potential of meaning that was already latent in the tradition. The tradition of the preexistent figure of Isaac evidently also played an important role for the connection of Abraham and Jacob. The birth of Isaac as the eponymous hero of the Southern Kingdom (see once again Amos 7:9, 16) constitutes the thematic aim of the Abraham-Lot cycle. On the flip side, Isaac serves as Jacob's father in Gen 25 and 27. Therefore, Abraham, Isaac, and Jacob become linked into a genealogical triad, just as they now appear in the ancestral narrative in Gen 12–36.

With the connection of the Abraham and the Jacob cycles by means of the Isaac figure and the promises, something of an Abrahamization of Jacob takes place. This is apparent in the literary placement of Abraham prior to Jacob as his grandfather³⁴ and through the anticipatory interpretations of the locals of Shechem and Bethel, important in the Jacob cycle, as cultic sites established by Abraham (Gen 12:6–8).³⁵

The Abrahamization serves primarily three purposes. First, as a result of the connection with Abraham, the focus of the ancestral narrative shifts to the south. Second, the ancestral narrative takes on a broader horizon in terms of its political-theological perspective. In addition to Edom, Moab and Ammon, as well as the Arabians represented by Ishmael, come into view.³⁶ Third, the ancestral narrative consisting of the Abraham and Jacob stories is bound together redactionally by the now-prominent promise

33. See, e.g., Matthias Köckert, "Verheissung I. Altes Testament," *TRE* 34:697–704.

34. Matthias Köckert, "Wie wurden Abraham- und Jakobüberlieferung zu einer 'Vätergeschichte' verbunden?," *HBAI* 3 (2014): 43–66; Jean-Louis Ska, "Essay on the Nature and Meaning of the Abraham Cycle (Gen 11:29–25:11)," in *The Exegesis of the Pentateuch: Exegetical Studies and Basic Questions*, FAT 66 (Tübingen: Mohr Siebeck, 2009), 23–45; Jan C. Gertz, "Babel im Rücken und das Land vor Augen: Anmerkungen zum Abschluss der Urgeschichte und zum Anfang der Erzählungen von den Erzeltern Israels," in *Die Erzväter in der biblischen Tradition: Festschrift für Matthias Köckert*, ed. Anselm Hagedorn and Henrik Pfeiffer, BZAW 400 (Berlin: de Gruyter, 2009), 9–34.

35. Levin, *Der Jahwist*, 137–38, identifies these notices primarily as critical receptions of Deut 12 and the implementation of the "programmatic addition to the altar law of the Covenant Code" of Exod 20:24b.

36. In this discussion the sometimes-misunderstood category *ecumenical* is used for this development; see Albert de Pury, "The Priestly Writer's 'Ecumenical' Ancestor," in *Die Patriarchen und die Priesterschaft*, 73–89; and the discussion in Konrad

texts (esp. 12:1–3 and 28:13–15).³⁷ As a result, the relationship between Israel and Judah and their land is interpreted in the mode of a promise. If Gen 12:1–3 truly is a pre-Priestly text and also serves to connect the primeval history with the ancestral narrative, then the global universalization of the ancestral narrative through the introduction of the primeval history would also be located at this stage. However, this is debated, and perhaps it can no longer be unequivocally clarified.³⁸

The—perhaps still pre-Priestly—addition of the Joseph narrative (Gen 37–50) to the ancestral story means a repeated shift in emphasis in terms of the theological history.³⁹ First, the open theological promise from Gen 12–36 with regard to the theme of the land is heightened further: Israel can not only be God's people without possession (though promised) of its land (according to Gen 12–36). It is even possible to lead a divinely guided life in a foreign land (see Gen 39:2–6; 50:19–20). Even exogamy is acceptable, as shown by Joseph's marriage to Aseneth, the daughter of an Egyptian priest.⁴⁰ On the other hand, the Joseph story emphasizes the importance

Schmid, "Judean Identity and Ecumenicity: The Political Theology of the Priestly Document," ch. 24 in this volume.

37. Kratz, *Composition*, 264 ("these perspectives ... make up the redactional scheme by which the patriarchal narratives have been composed"); Kratz, *Die Komposition*, 267 ("Es sind die ältesten Verheissungen in der Genesis, von denen alle anderen abhängen und die als redaktionelle Klammern fungieren"). According to Kratz, Gen 12:1–3 and 28:13–15 serve to establish a comprehensive primeval and ancestral history reaching from Gen 2–35. Functionally comparable for Gen 12:1–4a and 28:13a, 15a, see Levin, *Der Jahwist*, 133, 216 (J^R).

38. For a post-Priestly location see, e.g., Jean-Louis Ska, "The Call of Abraham and Israel's Birth-Certificate (Gen 12:1–4a)," in *Exegesis of the Pentateuch*, 46–66. Knud Jeppesen, "Promise and Blessing: Gen 12,1–3," *SJOT* 27 (2013): 32–42, recalls that the theme of the land is not emphasized in Gen 12:1–3. However, the fact that it is first discussed in 12:7 results from the requirement that the promise of "this" land can first be stated in the land itself. It is possible that behind this statement there is a conception directed toward the diaspora that the correct theological progression is not possession of the land–return, but rather return–possession of the land.

39. For details, see Konrad Schmid, "The Joseph Story in the Pentateuch," ch. 18 in this volume, critically evaluated by Reinhard G. Kratz, "The Pentateuch in Current Research: Consensus and Debate," in Dozeman, Schmid, and Schwarz, *Pentateuch*, 52 n. 67.

40. Thomas Römer, "La narration, une subversion: L'histoire de Joseph (Gn 37–50*) et les romans de la diaspora," in *Narrativity in Biblical and Related Texts: La narrativité dans la Bible et les textes apparentés*, ed. George J. Brooke and Jean-Daniel Kaestli, BETL 149 (Leuven: Peeters, 2000), 17–29.

of Israel's genealogical coherence: after the death of Israel, Joseph and his brothers discover a reason for their solidarity in their united purpose (Gen 50:19–20)—without land or king.⁴¹

As in the Jacob narrative, it should again be emphasized that the Joseph story cannot be worked out as a function of a political allegory. It casts its own view of the world, but it also contains accents that develop the political theology of the ancestral narrative significantly further—with an eye toward a virtually anti-Deuteronomic diaspora theology.⁴²

In addition, with regard to its theological perspective, the Joseph story provides a remarkable critique of explicit theological-historical interpretations that appear in the preceding and subsequent narrative contexts. God apparently shies away from presenting himself as an acting subject like other actors. The Joseph story does not treat the activity of God on the level of the narrative, but rather on the level of the characters *in* the narrative. Outside of minimal theological interpretative elements such as Gen 39:2–6 or 39:21–23, God primarily appears as a power directing history in the mouth of the protagonist Joseph (Gen 50:19–20). The identification of God's action in the story is therefore declared a question of subjective interpretation and not objective declaration.

9.3.2. The Exodus Narrative

The exodus narrative, which as a literary entity likely originally began in Exod 2 and perhaps continued into the Joshua tradition,⁴³ is similar to

41. On this see Jürgen Ebach, "‘Ja bin denn *ich* an Gottes Stelle?’ (Genesis 50:19): Beobachtungen und Überlegungen zu einem Schlüsselsatz der Josefsgeschichte und den vielfachen Konsequenzen aus einer rhetorischen Frage," *BiblInt* 11 (2003): 602–16.

42. Römer, "La narration"; Schmid, "Joseph Story," §3.

43. Levin, *Der Jahwist*, 329, 392; Jan C. Gertz, *Tradition und Redaktion in der Exoduserzählung: Untersuchungen zur Endredaktion des Pentateuch*, FRLANT 186 (Göttingen: Vandenhoeck & Ruprecht, 2000), 347, reckons with an original narrative thread that breaks off after Exod 4. On its beginning in Exod 2 see Eckart Otto, "Die Geburt des Mose: Die Mose-Figur als Gegenentwurf zur neuassyrischen Königsideologie im 7. Jh. v. Chr.," in *Die Tora: Studien zum Pentateuch; Gesammelte Aufsätze*, BZABR 9 (Wiesbaden: Harrassowitz, 2009), 9–45; differently, e.g., Rainer Albertz, *Exodus 1–18*, ZBK 2.1 (Zurich: TVZ, 2012), 19–21; Helmut Utzschneider and Wolfgang Oswald, *Exodus 1–15*, IECOT (Stuttgart: Kohlhammer, 2013), 44–46. On the concrete proposal from Reinhard G. Kratz (*Composition*, 125–26, 200–202, 207, 216–17; Kratz, "Israel als Staat," 13 n. 45; Kratz, "Der vor- und der nachpriesterschriftliche Hexateuch," in

the ancestral story in many ways but is also fundamentally different—especially with regard to its theological-historical point of view.⁴⁴ Israel's exodus from Egypt quite certainly has historical backgrounds, even if these are of a more diverse and variable nature than the biblical narrative reports. They likely come to terms with memories of the collapse of Egyptian hegemony in Late Bronze Age Palestine, of Sheshonq's intervention in northern Israel, and also on the migrations of Asiatics from the Nile Delta back to the Levant that are repeatedly attested in inscriptions, and perhaps also on the expulsion of the Hyksos from Egypt, or the Syrian chancellor Beja.⁴⁵ The present exodus narrative fuses these into an event of origins that never took place in this way but synthesizes a number of memories in mythical fashion. Functionally comparable to the ancestral story, the exodus narrative therefore formulates a national myth of origins for Israel. Noteworthy from a theological perspective is the fact that the connection between Israel and its God and from the God of Israel to his people is neither self-evident (such as with Chemosh and Moab) nor set geographically by specific sanctuaries (as in the Jacob tradition). It is

Gertz, Schmid, and Witte, *Abschied vom Jahwisten*, 316–23) of an exodus narrative reaching from Exod 2 to Josh 12, see Erhard Blum, “Pentateuch—Hexateuch—Enneateuch? Or: How Can One Recognize a Literary Work in the Hebrew Bible?” in *Pentateuch, Hexateuch, or Enneateuch? Identifying Literary Works in Genesis through Kings*, ed. Thomas B. Dozeman, Thomas Römer, and Konrad Schmid, AIL 8 (Atlanta: Society of Biblical Literature, 2011), 54–57.

44. This ambivalent evidence reflects the scholarly situation: the basic proximity of the exodus and ancestors in the source models and also the new interpretation of the Yahwist by Levin (*Der Jahwist*) that interpret a continuous literary basic layer in Genesis–Exodus, while the instances of difference leading in other sketches to the contestation of a pre-Priestly connection of Genesis–Exodus.

45. See Ronald Hendel, “The Exodus in Biblical Memory,” *JBL* 120 (2001): 601–22; Nadav Naʾaman, “The Exodus Story between Historical Memory and Historiographical Composition,” *JANER* 11 (2011): 39–69; Albertz, *Exodus 1–18*, 27–35. On Sheshonq's intervention, see Finkelstein, *Forgotten Kingdom*, 145–51. On migrations of Asiatics, see, e.g., Sara Israelit-Groll, “The Historical Background to the Exodus: Papyrus Anastasi VIII,” in *Etudes égyptologiques et bibliques: À la mémoire du Père B. Couroyer*, ed. Marcel Sigrist, CahRB 36 (Paris: Gabalda, 1997), 109–14. On the Hyksos, see Donald B. Redford, *Egypt, Canaan, and Israel in Ancient Times* (Princeton: Princeton University Press, 1992), 412; Jan Assmann, *Ägypten: Eine Sinngeschichte* (Munich: Hanser, 1996), 314–15. On Beja, see Ernst Axel Knauf, *Midian: Untersuchungen zur Geschichte Palästinas und Nordarabiens am Ende des 2. Jt. v. Chr.*, ADPV (Wiesbaden: Harrassowitz, 1988), 124–41.

instead founded on a mythically qualified event of origins. If it is correct that this originary event itself represents a conscious synthesis and does not rest on a specific historical event, then it is evident that the exodus narrative presents the results of the profound theologizing of preexisting memories and traditions.

As was the case with the Jacob cycle, its tradition-historical origins also likely come from the Northern Kingdom. One can assume this on the basis of the importance of the theme in the books of Hosea or Amos, for example, or in the dedicatory saying connected with the royal sanctuaries in Dan and Bethel, "See Israel, these are your gods, who brought you up out of Egypt" (1 Kgs 12:28).⁴⁶ Just as was the case in the Jacob cycle, the exodus narrative also does without a king. However, as a literary entity, especially on the basis of its anti-Assyrian orientation,⁴⁷ it clearly presupposes the demise of the Northern Kingdom in 722 BCE; and much more explicitly than the Jacob cycle,⁴⁸ it justifies a theocratic ideal. As a result, unlike in Gen 12–36, there are no determinations of the relationships with political neighbors such as Edom, Ammon, Moab, and the Arabians. Instead, the description of the relationship to the absolutely definitive political power, the one God, stands in the foreground.⁴⁹

Therefore, the exodus narrative does not allow for the recognition of any ecumenical aspirations, instead presenting an exclusive position in both its political and theological perspective.⁵⁰ It owes this point of view

46. Uwe Becker, "Das Exodus-Credo: Historischer Haftpunkt und Geschichte einer alttestamentlichen Glaubensformel," in *Das Alte Testament—ein Geschichtsbuch?! Geschichtsschreibung oder Geschichtsüberlieferung im antiken Israel*, ed. Uwe Becker and Jürgen van Oorschot, ABIG 17 (Leipzig: Evangelische Verlaganstalt, 2005), 81–100. On the composition-critical issues of 1 Kgs 12:28 see Juha Pakkala, "Jeroboam without Bulls," *ZAW* 120 (2008): 501–25.

47. See, e.g., Jan C. Gertz, "Mose und die Anfänge der jüdischen Religion," *ZTK* 99 (2002): 3–20.

48. See esp. Gen 50:19–20 after Gen 37:8, 9–11.

49. Political critique of Solomon is found by Pekka Särkiö, *Exodus und Salomo: Erwägungen zur verdeckten Salomokritik anhand von Ex 1–2; 5; 14 und 32*, Schriften der Finnischen exegetischen Gesellschaft 71 (Helsinki: Finnische Exegetische Gesellschaft; Göttingen: Vandenhoeck & Ruprecht, 1998); see also Felipe Blanco Wissmann, "Sargon, Mose und die Gegner Salomos: Zur Frage vor-neuassyrischer Ursprünge der Mose-Erzählung," *BN* 110 (2001): 42–54.

50. Albert de Pury, "Le cycle de Jacob comme légende autonome des origines d'Israël," in *Die Patriarchen und die Priesterschrift*, 93–108; Konrad Schmid, *Genesis and the Moses Story: Israel's Dual Origins in the Hebrew Bible*, Siphut 3 (Winona Lake,

to its reception of Neo-Assyrian treaty theology, which now, as in Deuteronomy, is transferred to the relationship of Israel with God.⁵¹ The exodus narrative belongs to the earliest texts of the Hebrew Bible clearly influenced by imperial ideology, which is now reproduced in theologized form.⁵² In keeping with their narrative setting in Egypt, the exodus story narrates Israel's liberation from the servitude to Egypt to the service of God.⁵³ The relationship to God is conceived as "intolerant monolatry,"⁵⁴ thereby reproducing the structural relationship of the Assyrian emperor and his subjects. The God of the exodus narrative is, therefore, not only one that liberates and protects, but also one that places demands. Accordingly, the narrative likely contained promulgation of law either from the outset or very soon thereafter—even if the identification of which text remains controversial in scholarship.⁵⁵ While an exact determination must remain unclear, one

IN: Eisenbrauns, 2010); trans. of *Erzväter und Exodus: Untersuchungen zur doppelten Begründung der Ursprünge Israels innerhalb der Geschichtsbücher des Alten Testaments*, WMANT 81 (Neukirchen-Vluyn: Neukirchener Verlag, 1999). Critiqued by Hans-Christoph Schmitt, "Erzväter- und Exodusgeschichte als konkurrierende Ursprungslegenden Israels: Ein Irrweg der Pentateuchforschung," in Hagedorn and Pfeiffer *Die Erzväter in der biblischen Tradition*, 241–66; Graham I. Davies, "The Transition from Genesis to Exodus," in *Genesis, Isaiah and Psalms: A Festschrift to Honour Professor John Emerton for His Eightieth Birthday*, ed. Katherine J. Dell, Graham I. Davies, and Yee Von Koh, VTSup 135 (Leiden: Brill, 2010), 59–78.

51. On this, see Assmann, *Herrschaft und Heil*, 49–53; Wolfgang Oswald, "Auszug aus der Vasallität: Die Exodus-Erzählung (Ex 1–14) und das antike Völkerrecht," *TZ* 67 (2011): 263–88.

52. See, e.g., David M. Carr and Colleen M. Conway, *An Introduction to the Bible: Sacred Texts and Imperial Contexts* (Chichester: Wiley-Blackwell, 2010); Schmid, "Anfänge politikförmiger Religion"; in this perspective see, e.g., the discussion on Pss 2 and 72 and their possible Neo-Assyrian backgrounds: Eckart Otto and Erich Zenger, eds., "Mein Sohn bist du" (Ps 2,7): *Studien zu den Königpsalmen*, SBS 192 (Stuttgart: Katholisches Bibelwerk, 2002); or the references in the Isaiah tradition to Assyrian propaganda, see Friedhelm Hartenstein, *Das Archiv des verborgenen Gottes: Studien zur Unheilsprophetie Jesajas und zur Zionstheologie der Psalmen in assyrischer Zeit*, BThSt 74 (Neukirchen-Vluyn: Neukirchener Verlag, 2011).

53. Georges Auzou, *De la servitude au service: Etude du livre de l'Exode*, Connaissance de la Bible 3 (Paris: Éditions de l'Orante, 1961), see also Utzschneider and Oswald, *Exodus 1–15*, 33–35.

54. See, e.g., Juha Pakkala, *Intolerant Monolatry in the Deuteronomistic History*, PFES 76 (Helsinki: Finnish Exegetical Society; Göttingen: Vandenhoeck & Ruprecht, 1999).

55. See, e.g., on the Decalogue Christoph Levin, "Der Dekalog am Sinai," *VT*

can acknowledge that the quite formative intertwining of law and story emerges at this point in the tradition history of the Pentateuch. However, it should be highlighted that the legal sections of the Pentateuch, viewed in themselves, are in no ways fundamentally later than the narrative sections. Even if the origins of the laws of the Hebrew Bible remain difficult to determine for the individual regulations, their content relies on much earlier ancient Near Eastern legal traditions and are likely to be dated already to the middle of the monarchic period for the first written collections and then were edited together into the Covenant Code (Exod 20–23*).⁵⁶

The fact that the ancestral and exodus narratives, in whichever form, are reckoned as competing legends of origins for Israel results from their functional doubling, if from nothing else. The precise nature of this competition is contingent on interpretation of the difficult passage of Hos 12. Does it concern an early or a late text? Are Jacob and Moses seen here in opposition or analogous to one another?⁵⁷ There is firmer ground in a direct but diachronically informed comparison: The Abraham and Jacob

35 (1985): 165–91; Levin, *Der Jahwist*, 365; differently, e.g., Reinhart G. Kratz, “Der Dekalog im Exodusbuch,” *VT* 44 (1994): 205–38; Matthias Köckert, *Die Zehn Gebote* (Munich: Beck, 2007), 40–44; on the Covenant Code, Utzschneider and Oswald, *Exodus 1–15*, 44–46; on Exod 34* see, e.g., Frank Crüsemann, *Die Tora: Theologie und Sozialgeschichte des alttestamentlichen Gesetzes*, 3rd ed. (Gütersloh: Gütersloher Verlagshaus, 2005), 73–75; Otto, “Geburt,” 27; Albertz, *Exodus 1–18*, 19–20; differently Erhard Blum, *Studien zur Komposition des Pentateuch*, BZAW 189 (Berlin: de Gruyter, 1990), 67–70; Levin, *Der Jahwist*, 367–69.

56. See, e.g., Eckart Otto, “Tendenzen der Geschichte des Rechts in der Hebräischen Bibel,” in *Altorientalische und biblische Rechtsgeschichte: Gesammelte Studien*, BZABR 8 (Wiesbaden: Harrassowitz, 2008), 7–8. The relationship between the Codex Hammurabi and the Covenant Code is determined in an overly narrow manner by David P. Wright (*Inventing God’s Law: How the Covenant Code of the Bible Used and Revised the Laws of Hammurabi* [New York: Oxford University Press, 2009]).

57. Cf. with an earlier date but different determination of the profile of the content Albert de Pury, “Erwägungen zu einem vorexilischen Stämmejahwismus: Hos 12 und die Auseinandersetzung um die Identität Israels und seines Gottes,” in *Ein Gott allein? JHWH-Verehrung und biblischer Monotheismus im Kontext der israelitischen und altorientalischen Religionsgeschichte*, ed. Walter Dietrich and Martin Klopfenstein, OBO 139 (Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 1994), 413–39; Erhard Blum, “Hosea 12 und die Pentateuchüberlieferungen,” in Hagedorn and Pfeiffer, *Die Erzväter in der biblischen Tradition*, 291–321; with a later date, Roman Vielhauer, *Das Werden des Buches Hosea: Eine redaktionsgeschichtliche Untersuchung*, BZAW 349 (Berlin: de Gruyter, 2007), 178–80.

traditions are, in and of themselves, each theologized far less than the exodus narrative. Only the Abraham and Jacob narrative once combined by the promises is comparable to the exodus narrative, for only at this stage is a functional equivalence established with sufficient certainty. Both the ancestral as well as the exodus narrative justify the poststate existence of Israel as the people of God after the demise of the Northern Kingdom in 722 BCE despite the absence of state structures. The ancestral narrative does this in a rather inclusive manner, while the exodus narrative has a rather exclusive point of view. With regard to their formation history, the exodus narrative likely reacts primarily to the still independent and somewhat earlier Jacob tradition and defines Israel's identity no longer in relation to its neighbors, but—in the world of the narrative—to the mythic, ungodly empire of the Egyptians and—in the world of the narrator—to the Assyrian Empire.⁵⁸

9.3.3. Deuteronomy

However Deuteronomy and the exodus narrative exactly relate to one another from a literary-historical perspective,⁵⁹ from a theological

58. Reciprocal references such as the exodus of Abraham from Egypt (Gen 12:10–20) or the divine battle of Moses (Exod 4:24–26) exhibit ongoing attempts at equalization in and between the traditions of origins. The prevalence of the exodus tradition together with its emphasis on the law is recognizable through insertions of Abraham's torah obedience in Genesis after the literary merger of Genesis and Exodus (cf., e.g., Gen 22:18; 26:5 and also 18:6; see Jean-Louis Ska, "Genesis 18:6: Intertextuality and Interpretation; 'It All Makes Flour in the Good Mill,'" in *Exegesis of the Pentateuch*, 89–96); see Beate Ego, "Abraham als Urbild der Toratreue Israels: Traditionsgeschichtliche Überlegungen zu einem Aspekt des biblischen Abrahambildes," in *Bund und Tora: Zur theologischen Begriffsgeschichte in alttestamentlicher, frühjüdischer und urchristlicher Tradition*, ed. Friedrich Avemarie and Hermann Lichtenberger, WUNT 92 (Tübingen: Mohr Siebeck, 1996), 25–40, a narrative trajectory that is then brought to a highpoint in the book of Jubilees (see C. T. R. Hayward, "Genesis and Its Reception in Jubilees," in Evans, Lohr, and Petersen, *Book of Genesis*, 375–404).

59. The question depends especially on the controversially identified date of Deuteronomy and the exodus narrative. See on the new "battle for Deuteronomy" (following the title of the article by Walther Baumgartner, "Kampf um das Deuteronomium," *TRu* 1 [1929]: 7–25), the discussion between Juha Pakkala, "The Date of the Oldest Edition of Deuteronomy," *ZAW* 121 (2009): 388–401 (following Reinhard G. Kratz, "Der literarische Ort des Deuteronomiums," in *Liebe und Gebot: Studien zum Deuteronomium; Festschrift zum 70. Geburtstag von Lothar Perlitt*, ed. Rein-

perspective the exodus narrative justifies, in a narrative manner, what Deuteronomy presents as a theological program.⁶⁰ From the point in which the exodus narrative and Deuteronomy were allocated to one another in complementary fashion onward, they went on to develop the nature of the Torah as law and story further. One indicator of at least the partial temporal priority of the exodus narrative emerges from the fact that the earliest Deuteronomic promulgation of law is already thoroughly dependent on the so-called Covenant Code (Exod 20–23*), which is integrated into the exodus narrative⁶¹ and reinterprets it through the point of view of cult

hard G. Gratz and Hermann Spieckermann, *FRLANT* 190 [Göttingen: Vandenhoeck & Ruprecht, 2000], 101–20); Nathan MacDonald, “Issues in the Dating of Deuteronomy: A Response to Juha Pakkala,” *ZAW* 122 (2010): 431–35; Juha Pakkala, “The Dating of Deuteronomy: A Response to Nathan MacDonald,” *ZAW* 123 (2011): 431–36. On the exodus narrative, see Gertz, *Tradition und Redaktion*; Christoph Berner, *Die Exoduserzählung: Das literarische Werden einer Ursprungslegende Israels*, *FAT* 73 (Tübingen: Mohr Siebeck, 2010).

60. This correspondence is especially attractive for the hypothesis of literary continuation (*Fortschreibung*), according to which Deuteronomy from the beginning is interpreted as being formed for its literary context, see, e.g., Kratz, “Der literarische Ort”; somewhat more open is Kratz, “The Idea of Cultic Centralization and Its Supposed Ancient Near Eastern Analogies,” in *One God–One Cult–One Nation: Archaeological and Biblical Perspectives*, ed. Reinhard G. Kratz and Hermann Spieckermann, *BZAW* 405 (Berlin: de Gruyter, 2010), 121–44. See on the profile of Deuteronomy more recently, e.g., Bernard M. Levinson and Jeffrey Stackert, “Between the Covenant Code and Esarhaddon’s Succession Treaty: Deuteronomy 13 and the Composition of Deuteronomy,” *JAJ* 3 (2012): 123–40; differently Christoph Levin, “Die Entstehung der Bundestheologie im Alten Testament: Die Entdeckung des Problems,” in vol. 2 of *Verheissung und Rechtfertigung: Gesammelte Studien zum Alten Testament*, *BZAW* 431 (Berlin: de Gruyter, 2013), 248: “What should have justified the ‘divine immediacy’ of the Judahites in the monarchic period? A second difficulty consists of the fact that the legal treatise and vassal treaty are two completely different genres that overlap—evidently secondarily—in today’s book of Deuteronomy.” See further on the discussion, Eckart Otto, “Assyria and Judean Identity: Beyond the *Religionsgeschichtliche Schule*,” in *Literature as Politics, Politics as Literature: Essays on the Ancient Near East in Honor of Peter Machinist*, ed. David S. Vanderhooft and Avraham Winitzer (Winona Lake, IN: Eisenbrauns, 2013), 339–47, esp. 345; Martin Arneith, “Der Exodus der Sklaven,” *KD* 59 (2013): 109–24, esp. 123–24.

61. See, e.g., the reconstruction by Wolfgang Oswald, *Israel am Gottesberg: Eine Untersuchung zur Literaturgeschichte der vorderen Sinaiperikope Ex 19–24 und deren historischem Hintergrund*, *OBO* 159 (Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 1998), 154–67; Utzschneider and Oswald, *Exodus 1–15*, 45–46; Matthias Köckert, “Wie kam das Gesetz an den Sinai?,” in *Vergegenwärtigung*

centralization.⁶² This may be understood—not only but also—as a consequence of the imperial interpretation of the notion of God:⁶³ the God of Jerusalem that should be exclusively worshiped can only be worshiped at his residence. At the same time, in the pull of this new interpretation of the deity, YHWH himself becomes the legislator, which represents a new development within the ancient Near Eastern world, which otherwise consistently sees the king in this function.⁶⁴

The interpretation of the law as divine law also had a reverse redaction-historical effect in the Covenant Code (Exod 20–23*) embedded in the exodus narrative. Its current theologized reinterpretation presents its legal stipulations in Deuteronomized form, as divine law that is directed to every individual (note the second-person address).⁶⁵

The specific character of Deuteronomy is linked to the declaration of God as lawgiver, for it explicitly justifies his laws, which also had an effect on the Torah as a whole.⁶⁶ The evident nature and authority of the laws must be sufficient on their own to be observed. The justifications stand in a certain amount of conceptual competition to the concluding blessing and curse passages in Deuteronomy, though they have more of an ethical function in the theology of history in the larger context of Deuteronomy (within Genesis–2 Kings). By means of its centering on God, a decisive step is already taken within Deuteronomy toward the covenantal theology of the Priestly document, which construes God's covenants with Noah (Gen

des Alten Testaments: Beiträge zur biblischen Hermeneutik; Festschrift für Rudolf Smend zum 70. Geburtstag, ed. Christoph Bultmann, Walter Dietrich, and Christoph Levin (Göttingen: Vandenhoeck & Ruprecht, 2002), 13–27.

62. See, e.g., Bernard M. Levinson, *Deuteronomy and the Hermeneutics of Legal Innovation* (New York: Oxford University Press, 1997); Joachim Schaper, "Schriftauslegung und Schriftwerdung im alten Israel: Eine vergleichende Exegese von Ex 20,24–26 und Dtn 12,13–19," *ZABR* 5 (1999): 111–32.

63. One need not reach for Assyrian analogies here, as done by, e.g., Eckart Otto, *Das Deuteronomium: Politische Theologie und Rechtsreform in Juda und Assyrien*, BZAW 284 (Berlin: de Gruyter, 1999), 351; and on this Kratz, "Idea of Cultic Centralization," 121–44, who himself does not, however, see an anti-Assyrian motivation for this idea (129).

64. See, e.g., Eckart Otto, "Recht/Rechtstheologie/Rechtsphilosophie I.," *TRE* 28:197–209.

65. Kratz, *Composition*, 142, on the reception of prophetic social critique in the Covenant Code.

66. Tikva Frymer-Kenski, "Israel," in *A History of Ancient Law*, ed. Raymond Westbrook, HdO 72 (Leiden: Brill, 2003), 2:975–1046, esp. 979.

9) and Abraham (Gen 17) as one-sided, as unconditional divine promises, from which only individuals could potentially drop out.⁶⁷

Deuteronomy's interpretive relationship to the earlier Covenant Code is of great significance for the objective perception of the legal tradition in the Pentateuch. The canonical Pentateuch thereby contains not only individual legal regulations, but also their interpretations. Therefore, what is normative in the Pentateuch is not the law in and of itself, but the law that is in need of and open to interpretation. In addition is the intertwining with the narrative tradition: law is thereby interpreted in relation to the world and to history.

9.3.4. The Non-Priestly Primeval History

It is questionable whether there was ever a stand-alone literary non-Priestly primeval history, with or without a flood narrative.⁶⁸ The non-Priestly sections of the flood narrative should in no way be estimated as pre-Priestly,⁶⁹ and the remaining sections of the non-Priestly primeval history could also have arisen as literarily dependent prequels to the ancestral narrative.

However, it is clear that the non-Priestly sections of the primeval history are not significantly older than the Priestly document. Although von Rad already establishes, "It has long been recognized that more comprehensive statements about the creation of the world by Jahweh are only

67. See Hermann-Josef Stipp, "'Meinen Bund hat er gebrochen' (Gen 17,14): Die Individualisierung des Bundesbruchs in der Priesterschrift," *MTZ* 56 (2005): 290–304.

68. Cf., on the one side, e.g., Markus Witte, *Die biblische Urgeschichte: Redaktions- und theologiegeschichtliche Beobachtungen zu Genesis 1,1–11,26*, BZAW 265 (Berlin: de Gruyter, 1998): Gen 2–8*, and, on the other, e.g., Kratz, *Composition*, 252–59, 273: Gen 2–4* + 9–10*.

69. See, e.g., Jean-Louis Ska, "The Story of the Flood: A Priestly Writer and Some Later Editorial Fragments," in *Exegesis of the Pentateuch*, 1–22; Erich Bosshard-Nepustil, *Vor uns die Sintflut: Studien zu Text, Kontexten und Rezeption der Fluterzählung Gen 6–9*, BWANT 165 (Stuttgart: Kohlhammer, 2005); differently Jan C. Gertz, "Beobachtungen zum literarischen Charakter und zum geistesgeschichtlichen Ort der nichtpriesterschriftlichen Sintfluterzählung," in *Auf dem Weg zur Endgestalt von Genesis bis II Regum: Festschrift Hans-Christoph Schmitt zum 65 Geburtstag*, ed. Martin Beck and Ulrike Schorn, BZAW 370 (Berlin: de Gruyter, 2006), 41–57; Sebastian Grätz, "Gericht und Gnade: Die Fluterzählung im Rahmen der biblischen Urgeschichte," in *Disaster and Relief Management: Katastrophen und ihre Bewältigung*, ed. Angelika Berlejung, FAT 81 (Tübingen: Mohr Siebeck, 2012), 143–58, who follows Gertz ("Beobachtungen,"); see Grätz, "Gericht und Gnade," 143 n. 1.

found in texts of a later time,”⁷⁰ this estimation has first been acknowledged in recent scholarship.

In terms of the history of theology, the primeval history is noteworthy in three ways. First, it reformulates the well-known theme creation from the tradition, especially the Psalms,⁷¹ with regard to an initial creation and thereby makes possible a fundamentally new conception of the notion of God as well as the idea of God’s action in and on the world. It is clearly recognizable, especially in the Priestly document but also in Deutero-Isaiah, that God’s activity is fundamentally described as creational action. This is an innovation compared to the common means of depicting God’s activity in the historical books, namely, under Deuteronomic influence: God acts immediately or through other powers, but in history as one factor among others. A change in perspective results from the introduction by the primeval history. The God of history is the God who creates, who made time and history. For this reason, while he can work in and through history, he is not simply a factor *in* history.

Second, the primeval history results from the universal broadening of the predominant viewpoint of Israel in Gen 12–Deut 34. Genesis 1–11 offers a globally oriented contextualization of the story beginning in Gen 12 concerning Israel’s ancestors and the people that emerge from him. Therefore, Gen 1–11 appears to aim to be a universalization of Israel’s history, and to interpret it as a special case of general anthropology: guilt, punishment, and preservation not only represent structurally determinative elements of Israel’s history, but also of general world history.

Finally, one specific theological point of the primeval history itself should be emphasized. The question of human guilt is fundamentally relativized in Gen 6:1–4, for in this passage the reason for the flood is identified as a superhuman fate.⁷² The sons of God spread out over the

70. Von Rad, *Theology of Israel’s History Traditions*, 136; he mentions especially Deutero-Isaiah and the Priestly document as well as several psalms, “that are admittedly difficult to date” (136). The first epigraphic attestations of the creation thematic in ancient Israel appear on an ostrakon from the seventh century BCE; see Nahman Avigad, “Excavations in the Jewish Quarter of the Old City of Jerusalem,” *IEJ* 22 (1972): 195.

71. On this see Hermann Spieckermann, *Heilsgegenwart: Eine Theologie der Psalmen*, FRLANT 148 (Göttingen: Vandenhoeck & Ruprecht, 1989), 73–86.

72. See Manfred Oeming, “Sünde als Verhängnis: Gen 6,1–4 im Rahmen der Urgeschichte des Jahwisten,” *TTZ* 102 (1993): 34–50; for a post-Priestly placement see Walter Bührer, “Göttersöhne und Menschentöchter: Gen 6,1–4 als innerbiblische Schriftauslegung,” *ZAW* 123 (2011): 495–515.

world and provoke in such a way—in the sense of a post hoc explanation—divine judgment on the world. This passage is of special macrostructural importance for the Pentateuch because it is taken up again at its end and cited: Moses dies at the age of 120 years (Deut 34:7) as set in Gen 6:3, even though he was still in good health. Therefore, the notion of fate is placed as a frame around the Pentateuch.

9.3.5. The Priestly Document

The so-called Priestly document belongs to the most successful hypotheses of Hebrew Bible scholarship.⁷³ Thanks to the specific linguistic and theological imprint of the Priestly texts in the Pentateuch, it is comparatively unanimously defined and dated, even if differences exist on the question of the literary character, as well as on the end of the Priestly document.⁷⁴

If one is allowed to continue assuming that the Priestly document was originally an independent literary entity, then this circumstance as such

73. See, e.g., Blum, *Komposition des Pentateuch*, 221; David M. Carr, *Reading the Fractures of Genesis: Historical and Literary Approaches* (Louisville: Westminster John Knox, 1996), 43. An overview of more recent debates appear in the contributions in Sarah Schectman and Joel S. Baden, eds., *The Strata of the Priestly Writings: Contemporary Debate and Future Directions*, ATANT 95 (Zurich: TVZ, 2009).

74. On dating, see Albert de Pury, “P^g as the Absolute Beginning,” in *Les dernières rédactions du Pentateuque, de l’Hexateuque et de l’Ennéateuque*, ed. Thomas Römer and Konrad Schmid, BETL 203 (Leuven: Peeters, 2007), 123–28; repr., *Die Patriarchen und die Priesterschrift*, 37–42; Kratz, *Composition*, 244–45; Kratz, *Historisches und biblisches Israel*, 162 n. 107, also for the differentiation between the date of the cultic laws and the narrative frame. On P’s literary character, see Berner, *Die Exoduserzählung* (see Konrad Schmid, review of *Die Exoduserzählung: Das literarische Werden einer Ursprungslegende Israels*, by Christoph Berner, ZAW 123 [2011]: 292–94) argues against P as a source; also see Albertz, *Exodus 1–18*, 10–26; as well as on Gen 12–50 Wöhrle, *Fremdlinge*. Since Thomas Pola, *Die ursprüngliche Priesterschrift: Beobachtungen zur Literarkritik und Traditionsgeschichte von Pg*, WMANT 70 (Neukirchen-Vluyn: Neukirchener Verlag, 1995), the end has often been seen as located in the area of the Sinai pericope; see on recent discussion, Christophe Nihan, *From Priestly Torah to Pentateuch: A Study in the Composition of the Book of Leviticus*, FAT 2/25 (Tübingen: Mohr Siebeck, 2006), 20–68, 379; Jean-Louis Ska, “Le récit sacerdotal: Une ‘histoire sans fin’?,” in *The Books of Leviticus and Numbers*, ed. Thomas Römer, BETL 215 (Leuven: Peeters, 2008), 631–53; also Ed Noort, “Num 27,12–23 und das Ende der Priesterschrift,” in Römer, *Books of Leviticus and Numbers*, 99–119. Christian Frevel, *Mit Blick auf das Land die Schöpfung erinnern: Zum Ende der Priestergrundschrift*, HBS 23 (Freiburg im Breisgau: Herder, 2000), defends the traditional ending in Deut 34.

should first be appreciated for its peculiarity. It goes without saying that the Pentateuch has incorporated extensive pre-Priestly source material that also consists of larger literary units—such as the ancestral and the exodus narratives.

The composition of the Priestly document takes a step unknown to that point in the literary development of the Pentateuch: despite the presence of analogous material, the authors of the Priestly document drafted an alternative, independent depiction that interpreted the foundational history of Israel as a whole as primeval history,⁷⁵ setting it against these well-known materials. The reason that the Priestly document did not emerge from the beginning as literary supplementation (*Fortschreibung*) of existing textual material but first as a separate writing must be the result of its content. Levin notes that especially its specific stance toward cult centralization called for the “literary step.”⁷⁶ This is plausible, especially in view of the ancestral narrative with its various traditions of cult etiologies. Of comparable weight—especially in the context of the pre-Priestly anti-Assyrian exodus narrative—was the divergent political theology of the Priestly document, which could be coupled with the already extant textual material in the mode of continual writing even less than the idea of cult centralization. This signifies a certain irony in the tradition history of the Pentateuch, for the Priestly document was then combined again with the non-Priestly textual material from which it intended to separate itself.

The Priestly document, like the preexistent exodus portrayal, is strongly marked by the extant imperial ideology. However, unlike the exodus narrative, it does not adopt that ideology in a critical manner, but basically positively. The anti-Assyrian perspective of the pre-Priestly exodus tradition contrasts with the pro-Persian position of the Priestly document, which on one hand reinterprets the Deuteronomistic theology in the Pentateuch as a whole in a critical manner,⁷⁷ while on the other was able to

75. On this, see Norbert Lohfink, “Die Priesterschrift und die Geschichte,” in *Congress Volume Göttingen 1977*, ed. John A. Emerton, VTSup 29 (Leiden: Brill, 1978), 183–225; repr., *Studien zum Pentateuch*, SBAB 4 (Stuttgart: Katholisches Bibelwerk, 1988), 213–53.

76. Levin, *Der Jahwist*, 437.

77. Ernst Axel Knauf, “Die Priesterschrift und die Geschichten der Deuteronomisten,” in *The Future of the Deuteronomistic History*, ed. Thomas Römer, BETL 147 (Leuven: Peeters, 2000), 101–18.

link up with its basic theocratic notion to retain the elemental point of theological explanation for the exodus narrative. It consciously presented the liberation from Egyptian slavery as service to their God, who is the one and only sovereign of the world. The Priestly document adopts this idea,⁷⁸ but it interprets it in an inclusive and pluralistic manner: God is the creator of the world, which is organized into concentric circles. According to this differentiation, the world can profit from the promises of divine peace (Gen 9, for the entire world), increase, proximity to God, and the use of the land (Gen 17, for the Abrahamic nations, i.e., for the descendants of Ishmael and Isaac, namely Jacob and Esau), as well as for the cult that provides atonement (Exod 25–40, only Israel). Both with the ideal of a comprehensive, peaceful, and pluralistic world order analogous to the *pax Persica* and also with the—in this case modified Israel-centered—concentric gradation of the world of nations,⁷⁹ the Priestly document adopts the foundational elements of Persian imperial ideology.

For the Priestly document, the Persian-period setting of its authors formed, in a certain way, the divinely willed end of history. The nations coexisted without violence in their lands according to their language, culture, and religion. Israel, with its cult established by the creator God, found itself in the theological center of the world.⁸⁰ Even if this is not expressly stated, the Priestly organization of the world can be interpreted as exegesis of Gen 12:3: the world acquires its blessing in Abraham and Israel—without explicitly needing to know this.⁸¹ A future act of judgment by God against the world is unthinkable for the Priestly document. God judged

78. Cf. merely the conspicuous use of עבודה (“service”) in Exod 1:14; 2:23; 6:6, 9, among others.

79. Cf. Herodotus, *Histories*, 1.134 (Godley, LCL): “They honor most of all those who live nearest them, next those who are next nearest, and so going ever onwards they assign honor by this rule: those who dwell farthest off they hold least honorable of all; for they think that they are themselves in all regards by far the best of all men, that the rest have only a proportionate claim to merit, until those who live farthest away have least merit of all.”

80. See Jacobus G. Vink, “The Date and the Origin of the Priestly Code in the Old Testament,” in *The Priestly Code and Seven Other Studies*, OTS 52 (Leiden: Brill, 1969), 61; Knauf, “Die Priesterschrift und die Geschichten der Deuteronomisten,” 104–5; Nihan, *From Priestly Torah*, 383; see also Jacques Vermeylen, “La ‘table des nations’ (Gn 10): Yaphet figure-t-il l’Empire perse?,” *Transeu* 5 (1992): 113–32.

81. On the theology of blessing in the Priestly document, see Martin Leuenberger, *Segen und Segenstheologien im alten Israel: Untersuchungen zu ihren religions- und the-*

the world once and for all in the primeval period. In its prologue to the flood, the Priestly document adopts the most pointed declarations of judgment from Amos and Ezekiel ("The end has come," Gen 6:13; cf. Amos 8:2–3; Ezek 7:2–3),⁸² refracting them into the primeval period: the end has truly come, but it took place in the primeval period. It is and will always remain in the past.

The political theology of the Priestly document, which is to a degree peculiarly apolitical concerning its loyalty to the imperial power that defines the time of the author, turned out to be authoritative for later Judaism (and also Christianity). On the one hand, it includes the state power as a means of theocracy, but, on the other, it views that state with a certain degree of arbitrariness: As long as the political leadership makes it possible to carry out the cult and religion, then it is accepted. This basic political indifference has allowed Judaism to survive over the centuries—through all the internal nationalistic, messianic, and revolutionary countermovements. It has only come to bitter conflict with the authorities where the state has demanded a loyalty that was incompatible with the bond to their own God.⁸³

In addition to the reception of political ideology, the adoption and digestion of scientific content is of special significance for the Priestly document. The Priestly document apparently strove to describe its cosmogony and cosmology in accord with the scientific standards of its time.⁸⁴ This issue is of importance for the theology of the Pentateuch because it shows that the themes with an affinity to science, such as cosmology, were actually developed in dialogue with the authoritative conceptions of that time, namely, those that were globally authoritative, which reliance on the materials of Babylonian science demonstrates.⁸⁵ The universal orientation

ologiegeschichtlichen Konstellationen und Transformationen, ATANT 90 (Zurich: TVZ, 2008), 376–418.

82. Rudolf Smend, "Das Ende ist gekommen: Ein Amoswort in der Priesterschrift," in *Die Botschaft und die Boten: Festschrift für Hans Walter Wolff zum 70. Geburtstag*, ed. Jörg Jeremias and Lothar Perlitt (Neukirchen-Vluyn: Neukirchener Verlag, 1981), 67–74; repr., *Die Mitte des Alten Testaments: Exegetische Aufsätze* (Tübingen: Mohr Siebeck, 2002), 238–43.

83. See, in view of the Romans, Ernst Baltrusch, *Die Juden und das Römische Reich: Geschichte einer konfliktreichen Beziehung* (Darmstadt: Wissenschaftliche Buchgesellschaft, 2002).

84. Jan C. Gertz, "Antibabylonische Polemik im priesterlichen Schöpfungsbericht?," *ZTK* 106 (2009): 137–55.

85. If the cosmogony of the Pentateuch is described as "belief in creation," among

of the Priestly document—recognizable literarily first by its globally oriented beginning in Gen 1–9* and its universalizing terminology for God (YHWH is simultaneously “Elohim,” that is, quite simply “God”)⁸⁶—also condenses in its orientation toward and consideration of the content of international science. This relation to tradition is of the highest importance from a theological perspective: the Bible did not close itself off to science during the period of its formation—quite the contrary.

9.3.6. The Post-Priestly Constitution of the Pentateuch and Further Literary Continuations

It is noteworthy that Hebrew Bible scholarship does not even agree on the most important literary processes involved in the formation of the Pentateuch.⁸⁷ There are, besides the also debated question of the Persian imperial authorization as an external impulse,⁸⁸ more or less three positions. The first sees the decisive step in the formation of the Pentateuch in the combination of the essentially parallel running, large narrative works of J and P, according to an interpreter such as Christoph Levin: “Between the two narrative works there was no difference with regard to their validity as revelation. Also the agreement of their content was certain. This unanimity was made visible through the literary unity.”⁸⁹ Maintaining the basic parallelism of the two works, Levin thereby relativizes the significance of their combination: “It seems in error to assume that the redaction had a deeper intention than the simple combination of the sources. The respect for the canonical documents does not allow for this. Nevertheless, one should not overlook the *theological* position of the present, combined

others, then this dimension threatens to be undervalued; see von Rad, *Theology of Israel's Historical Traditions*, 137; see also his refining remarks, 148, that Gen 1 offers “not merely theological, but also scientific, knowledge.”

86. On this see Albert de Pury, “Gottesname, Gottesbezeichnung und Gottesbegriff: ‘Elohim’ als Indiz zur Entstehungsgeschichte des Pentateuch,” in Gertz, Schmid, and Witte, *Abschied vom Jahwisten*, 25–47; for critique of this view see Erhard Blum, “Der vermeintliche Gottesname ‘Elohim,’” in *Gott nennen: Gottes Namen und Gott als Name*, ed. Ingolf U. Dalfert and Philipp Stoellger, RPT 35 (Tübingen: Mohr Siebeck, 2008), 97–119.

87. On the order of the precursor books see Kratz, *Historisches und biblisches Israel*, 129: “The genetic order then: Hexateuch–Enneateuch–Pentateuch.”

88. On this see Konrad Schmid, “Persische Reichsautorisation und Tora,” *TRu* 71 (2006): 494–506.

89. Levin, *Das Alte Testament*, 81–82.

text.”⁹⁰ According to this perspective, the artful interweaving of J and P constitutes the theology of the Pentateuch.

The second position views the connection of Deuteronomy and the Priestly document as the decisive moment, so, for example, Eckart Otto: “The key to the literary history of the Pentateuch is how Deut and P came to be combined in a Pentateuch. In the postexilic period, the differences between their theologies set in motion the process of scribal mediation through a redaction of the Hexateuch and Pentateuch ... that resulted in the Pentateuch.”⁹¹

Finally, the third position sees the decisive conceptual accomplishment as the production of a proto-Pentateuch established alone by the Priestly document. In the wake of its basic decision to place the ancestors and exodus one after another, the great themes of the Pentateuch—which before the Priestly document stood independently next to one another—were thereby arranged into this overarching outline.⁹²

However, such a process as complex as the formation of the Pentateuch likely cannot be traced back to a single foundational impulse. Therefore, all three approaches have a certain plausibility, though each places the emphasis on a different viewpoint on the overall formation of the Pentateuch and interprets from that perspective.

The latter two views estimate the Priestly document’s share in the formation of the Pentateuch as much higher than the first position, for they do not see it as simply a double of a similar older work (J), but rather as the first conceptual outline of the later pentateuchal narrative thread into which the other, non-Priestly portions of text were then fitted—whether in the mode of the sequence of blocks of text (e.g., Gen 1:1–2:4a/2:4b–3:24) or the localized phased weaving into one another (e.g., Gen 6–9; Exod 13–14). All three approaches share the premise that the overarching narrative thread of the Pentateuch was not there at the beginning of the literary history. It was instead developed first by a post-Deuteronomistic Yahwist or even the Priestly document. Second, the authoritative theological imprint of the Pentateuch—also with regard to the density of the content

90. Levin, *Das Alte Testament*, 84 (emphasis original).

91. Eckart Otto, “Pentateuch,” *RPP*, <https://tinyurl.com/SBLPress2646h1>; trans. from “Pentateuch,” *RGK* 6:1097. Comparable material appears in the approach of Blum (*Komposition des Pentateuch*, 358), who views the connection of KD and KP to have taken place under the “‘compulsion’ to build a consensus” by Persian politics as the constitutive event on the Pentateuch’s road to Torah.

92. See, e.g., de Pury, “P^g as the Absolute Beginning,” 13–42.

of texts—is estimated as essentially a result of its post-Priestly compositional history.⁹³

The further post-Priestly supplementations (*Fortschreibung*), which are placed after the combination of the basic constituents of the Pentateuch, belong to elements of its composition first observed in the later period of its composition.⁹⁴ According to the classical Documentary Hypothesis, the connection of JE and P generally was counted as the final literary process of theological significance:⁹⁵ the Pentateuch achieved its form through the source documents, not through their redaction and supplementation (*Fortschreibung*). The most recent scholarship has strongly corrected this judgment, especially with regard to the books of Leviticus and Numbers,⁹⁶ but also concerning important post-Priestly elements in Genesis and Exodus, as well as the frame of Deuteronomy.⁹⁷ The significance of the post-Priestly imprint of the Pentateuch is also fundamentally reflected in the delineation of its content. On the basis of its scenery largely located outside of Israel—including the gift of the law in the no-man’s-land of Sinai—it is primarily to be addressed as a foundational document of an Israel (also) in the diaspora. Here as well, the fundamental political imprint of the theological history of the Pentateuch appears: in its final

93. On the contrary see nn. 10 and 13, above.

94. See Eckart Otto, “Forschungen zum nachpriesterschriftlichen Pentateuch,” *TRu* 67 (2002): 125–55; Kratz, “Der vor- und der nachpriesterschriftliche Hexateuch,” 295–323; see also Römer and Schmid, *Les dernières rédactions du Pentateuque*; in his own way also Berner, *Die Exoduserzählung*.

95. See, e.g., Julius Wellhausen, *Die Composition des Hexateuch und der historischen Bücher des Alten Testaments*, 3rd ed., (Berlin: Reimer, 1899), 2; Hermann Gunkel, *Genesis: Übersetzt und erklärt*, HKAT 1.1 (Göttingen: Vandenhoeck & Ruprecht, 1901), xcix; Noth, *History of Pentateuchal Traditions*, 248, but see already the pioneering achievement by Julius Popper, *Der biblische Bericht über die Stiftshütte: Ein Beitrag zur Geschichte der Composition und Diaskeue des Pentateuch* (Leipzig: Hunger, 1862).

96. On Leviticus see Nihan, *From Priestly Torah*; Eckart Otto, “Innerbiblische Exegese im Heiligkeitgesetz Leviticus 17–26,” in *Die Tora*, 46–106. On Numbers: Thomas Römer, “Das Buch Numeri und das Ende des Jahwisten: Anfragen zur ‘Quellenscheidung’ im vierten Buch des Pentateuchs,” in Gertz, Schmid, and Witte *Abschied vom Jahwisten*, 215–31, esp. 223; see also Kratz, “The Pentateuch in Current Research,” 54.

97. For Genesis, see above, nn. 22–24. On Exodus, see Gertz, *Tradition und Redaktion*, 394–96; Berner, *Die Exoduserzählung*, ascribes much more material to the post-Priestly layer of formation of the Exodus narrative. On the frame of Deuteronomy, see Otto, *Deuteronomium* 1,1–4,43, 248–57.

form, or better, its final forms,⁹⁸ it establishes the possibility of Israel's existence outside its land under a theocratically interpreted regime. The literary traditions following the Torah—the Former and the Latter Prophets—offer manifold critique and alternatives, but the prevalence of the Torah established through the history of the canon relegates these positions to second rank within the theology of the Hebrew Bible.

9.4. The Canonical Order of the Theological Positions

The preceding literary-historical discussion of the literary components of the Pentateuch naturally does not correspond with the canonical order. This has been determined from different points of view than the literary-historical sorting. Especially newer pentateuchal scholarship has clearly recognized that one cannot unquestionably assume the basic concordance of the literary presentations of the themes of the Pentateuch (primeval history, ancestors, exodus, Sinai, wilderness wandering) with the results of events in Israel's (pre-)history. As a result, the investigation of the present canonical order of the Pentateuch arises with a different urgency in light of its composition history than in the classical models.

The placement of the ancestral story before the exodus narrative is, if one does not assume that it was dictated by the traditional contexts of the content,⁹⁹ originally motivated by the Priestly document, even though it locates its theological climax in its depiction of the establishment of the cult on Sinai,¹⁰⁰ that as “creation in the creation” refers back to the beginning of the portrayal in Gen 1–9 and also strikes a literary arc from Exod 39–40 to Gen 1.¹⁰¹ However, the Priestly document situates the fundamental promises of increase, land, and proximity to God already in the

98. Erhard Blum, “Gibt es die Endgestalt des Pentateuch?,” in *Textgestalt und Komposition*, 207–17.

99. So, e.g., Erhard. Blum, “Die literarische Verbindung von Erzvätern und Exodus: Ein Gespräch mit neueren Endredaktionshypothesen,” in Gertz, Schmid, and Witte, *Abschied vom Jahwisten*, 119–56. On the so-called short historical credo, see Jan C. Gertz “Die Stellung des kleinen geschichtlichen Credo in der Redaktionsgeschichte von Deuteronomium und Pentateuch,” in Kratz and Spieckermann, *Liebe und Gebot*, 30–45.

100. On this, see Konrad Schmid, “Sinai in the Priestly Document,” ch. 25 in this volume.

101. Quote from Blum, *Komposition des Pentateuch*, 311. See also Peter Weimar, “Sinai und Schöpfung: Komposition und Theologie der priesterschriftlichen Sin-

ancestral period, in the covenant with Abraham (Gen 17).¹⁰² Whether the Priestly document found this attribution of the ancestors and exodus as a salvation-historical idea already present or whether it was the very first to conceive of it will likely remained debated.¹⁰³ What can, however, be established with certainty is that at the latest, ever since the Priestly document, this notion in itself has significantly determined the theology of the Pentateuch. The establishment of the cult on Sinai and therefore its promulgation of law is the culmination of what was promised to the ancestors. In Gen 12:10–20, even Israel's exodus from Egypt including its plagues (Exod 7–11) can be interpreted as simple repetition of the archetype of the already previously formed exodus of Abraham, which was also connected by means of the *ng'ym gdlym* ("great plagues" in Gen 12:17).

It is striking that the earliest texts of the Pentateuch were already presented comparatively early in the reading process, in Gen 12–36. Apparently, the later canonical order adopted the functional theological-historical groundwork of Israel's relationship with God and located it prominently in the reading process of the Pentateuch. The later texts, on the other hand, do not appear at the end, but rather in the middle of the Torah: they are attached literarily to the Sinai revelation (Leviticus–Numbers), not the promulgation of law in the Transjordan (Deuteronomy),¹⁰⁴ though the sequence of Leviticus–Numbers fits both in terms of the revelation history and the literary history.¹⁰⁵ This consideration of the later growth of the Pentateuch in its middle can likely be explained by the

aigeschichte," in *Studien zur Priesterschrift*, FAT 56 (Tübingen: Mohr Siebeck, 2008), 269–317.

102. See the still foundational study of Walther Zimmerli, "Sinaibund und Abrahambund: Ein Beitrag zum Verständnis der Priesterschrift," *TZ* 16 (1960): 268–80; repr., *Gottes Offenbarung: Gesammelte Aufsätze zum Alten Testament*, TB 19 (Munich: Kaiser, 1963), 205–17.

103. See most recently the discussion in Berner, *Die Exoduserzählung*, 10–48.

104. On this see Norbert Lohfink, "Zur Fabel des Deuteronomiums," in *Studien zum Deuteronomium und zur deuteronomistischen Literatur IV*, SBAB 31 (Stuttgart: Katholisches Bibelwerk, 2000), 247–63.

105. Römer, "Das Buch Numeri und das Ende des Jahwisten," 223: "Apparently these texts were only able to find a place in the book of Numbers because the other four books already had attained something of a proto-canonical status. In fact, Lev 26:46 and 27:34 explicitly conclude the Sinai revelation.... So later on someone expanded the Sinai pericope with Num 1–10 and furnished this extension with a new superscription"; also Kratz, "Pentateuch," 54.

authoritative significance of the Priestly document. Its original end in the area of the Sinai pericope suggests that additions to the legal texts should be attached there, with the result then that the material in Numbers is also easily distributed through the shift from the mountain to the desert of Sinai (cf. Lev 27:34/Num 1:1).

Through these extensive expansions of the Sinai pericope, Deuteronomy is moved to the margins of the Pentateuch, not only in literary terms. It continues to contain Moses's farewell speech in the Transjordan and, in terms of narrative logic, the promulgation of the law received by him to pass onto the nation of Israel before the entry into the promised land. However, the literary history made the Sinai pericope into the center of the Pentateuch, so Deuteronomy now only contains the narrative transmission of the promulgation of the Sinai law to Israel.

9.5. The Theological History of the Pentateuch and Its Theology

The project of a theology of the Pentateuch has been attempted comparatively few times, and the recognized achievements have been, as expected—that is, given the lack of clarity of the notion of theology in biblical studies—quite disparate.¹⁰⁶ If one approaches the question in terms of redaction history, such that in the framework of a theology of the Pentateuch the only texts treated are those that can be connected with the redactional constitution of the Pentateuch as Torah,¹⁰⁷ then especially the following three redactional perspectives can be mentioned. The theology of the Pentateuch naturally is substantially richer than the results of the processes of its establishment as Torah. However, the observations described below are of considerable importance for a complex understanding of the theological history.

106. See Hans-Heinrich Schmid, "Vers une théologie du Pentateuque," in *Le Pentateuque en question: Les origines et la composition des cinq premiers livres de la Bible à la lumière des recherches récentes*, ed. Albert de Pury and Thomas Römer, 3rd ed., MdB 19 (Geneva: Labor et Fides, 2002), 361–86; David J. A. Clines, *The Theme of the Pentateuch*, 2nd ed., JSOTSup 10 (Sheffield: Sheffield Academic, 1997), Crüsemann, *Die Tora*; see also von Rad, *Theology of Israel's Historical Traditions*, 129–305. On the notion of theology in biblical studies, see Schmid, *Gibt es Theologie im Alten Testament?*, 13–52.

107. On this see *The Pentateuch as Torah: New Models for Understanding Its Promulgation and Acceptance*, ed. Gary N. Knoppers and Bernard M. Levinson (Winona Lake, IN: Eisenbrauns, 2007), see also above, n. 89.

The first is the sworn promise of the land to the ancestors of Genesis, which carries through the entire Pentateuch (Gen 50:24; Exod 32:13; 33:1; Num 32:11; Deut 34:4). The final occurrence in Deut 34:4 clearly points back to Gen 12:7.¹⁰⁸ It is the exegetical result of combined reading of the Priestly document and the Deuteronomistically influenced exodus narrative. The Priestly document inspires the selection of the unconditional promise to the ancestors (see Gen 17; Gen 35:9–13) as the “theme of the Pentateuch.”¹⁰⁹ The sworn commitment of the land originates from Deuteronomy (see Deut 1:35; 6:18, 23; 7:13; 8:1; 10:11; 11:9, 21; 19:8; 26:3, 15; 28:11; 31:7, 20–21). Politically speaking, there is an insistence on the possession of the land, though the moment of the promise to the ancestors is theologically privileged.

Also belonging to the formation of the Pentateuch as Torah is the stylization of Moses as the arch prophet in Deut 34:10. This draws a qualitative separation between the Torah as the arch prophecy of Moses and all the prophecies that follow.¹¹⁰ This element as well can be understood as a compromise between the Deuteronomistic and Priestly imprints of the Pentateuch: With Deuteronomy, Moses becomes the central figure of the formation of tradition and draws to himself the entire normativity of the tradition. However, at the same time, with the Priestly document, the Mosaic cultic promulgation is enshrined definitively at the central location, and the Deuteronomistic actualization through repeatedly arising prophets “like Moses” (Deut 18:15–18, abrogated in Deut 34:10) is fundamentally withdrawn.

Finally, the particular contours of the depiction of Moses’s death in Deut 34 that convey justification for the fact that Moses is not permitted to enter the promised land follow neither Priestly nor Deuteronom(ist)ic theology.¹¹¹ It also establishes a pentateuchal *inclusio* with an arc that points back to Gen 6:1–4, as a result including even the primeval history.

Therefore, while in the end the Priestly document and Deuteronomy and the mediated balance between them is of fundamental importance for the theology of the Pentateuch, other unnamed constituents also play significant roles. The foundational connection between the ancestors and the

108. See Konrad Schmid, “Der Abschluss der Tora als exegetisches und historisches Problem,” in *Schriftgelehrte Traditionsliteratur*, 161–63.

109. See once again Zimmerli, “Sinaibund.”

110. See Schmid, “Der Abschluss,” 163–66.

111. See Schmid, “Der Abschluss,” 166–69. See also above, n. 74

exodus tradition, however, already took place at an earlier stage, so it only plays a mediated role—at the level of the Priestly document, which connected these themes with one another (if not for the first time ever, then for the first time in a prominent manner).¹¹² The primeval history as well is essentially a thematic import of the Priestly document, though likely not exclusively. Especially its non-Priestly parts offer a functional basis for the later mediations between the Priestly document and Deuteronomy: they expand the theology of Deuteronomy in a universal manner for the primeval history.¹¹³

The theology of the Pentateuch *as the Pentateuch* does not exhaust the discussion of the subject, which requires the broadening of its theological history. The theological history of the Pentateuch would itself be apprehended in a reduced manner if it were only to describe the sequence of individual theological positions within the Pentateuch. The logic of its dynamics is an integral component of such a project. Naturally, further stipulations are conceivable for such a theology of the Pentateuch—within the framework of a historically descriptive approach to the Bible, which itself should not be reckoned as theologically deficient,¹¹⁴ but denotes several unavoidable elements.

112. See Schmid, *Genesis and the Moses Story*.

113. See, e.g., Cynthia Edenburg, "From Eden to Babylon: Reading Genesis 2–4 as a Paradigmatic Narrative," in Dozeman, Römer, and Schmid, *Pentateuch, Hexateuch, or Enneateuch?*, 155–67.

114. Albert de Pury and Ernst Axel Knauf, "La théologie de l'Ancien Testament: Kérygmatique ou descriptive?," *ETR* 70 (1995): 323–34.

The Late Persian Formation of the Torah: Observations on Deuteronomy 34

10.1. Introduction

One of the most important literary developments in the formation of the Hebrew Bible that probably took place in the fourth century is the formation of the Torah.¹ This dating is based on quite a broad consensus, and I

I thank Bernard M. Levinson and Gary Knoppers for their helpful comments and improvement of my English.

1. Its basic completion during the late Persian era is indicated by several elements. For one, Chronicles and Ezra-Nehemiah assume the written fixation of the Torah. However, the traditional date for these texts in Chronicles and Ezra-Nehemiah in the Persian era is increasingly uncertain and reenvisioned as a longer history of literary growth that extends to considerably later times (see most recently Juha Pakkala, *Ezra the Scribe: The Development of Ezra 7–10 and Nehemiah 8*, BZAW 347 [Berlin: de Gruyter, 2004]; Reinhard G. Kratz, *The Composition of the Narrative Books of the Old Testament*, trans. John Bowden [London: T&T Clark, 2005]). Still, even the older sections in the book of Ezra in Ezra 10 seem to refer back to fully developed literary Torah texts, such as Deut 7:1–6; this would support the traditional argument. Further, the LXX translation of the Torah marks a *terminus ante quem*, which can be dated to the middle of the third century BCE (see, e.g., Folker Siegert, *Zwischen Hebräischer Bibel und Altem Testament: Eine Einführung in die Septuaginta*, Münsteraner judaistische Studien 9 [Münster: LIT, 2001], 42). Finally, there is a remarkable *argumentum e silentio*: we find no clear literary reflection on the collapse of the Persian Empire in the Torah as found in the Prophets in texts that speak distinctly to world judgment (see Isa 34:2–4; Jer 25:27–31; 45:4–5; Joel 4:12–16; Mic 7:12–13; Zeph 3:8; see Konrad Schmid, *Buchgestalten des Jeremiabuches: Untersuchungen zur Redaktion und Rezeption von Jer 30–33 im Kontext des Buches*, WMANT 72 [Neukirchen-Vluyn: Neukirchener Verlag, 1996], 305–9) and that can best be explained as a literary reaction to the breakdown of the Persian Empire. The literary substance of the Torah thus seems to be pre-Hellenistic. To be sure, such a late Persian date of the Torah does not exclude minor changes

will refrain from discussing the reasons here. But how did the Torah as a literary entity come into being? Was there a specific Torah redaction that has shaped the Pentateuch *as Torah*?

Within the classic Documentary Hypothesis, the explanation of the formation of the Torah was hardly debated: According to the classical Documentary Hypothesis, R^P—the redactor of the Pentateuch—established the Torah by merging P and JED with one another, and the extent of the Torah was adopted from P: It ends with the death of Moses. This traditional view, however, has been severely challenged by an important study by Lothar Perlitt dating to the year 1988.² He questioned the existence of any P texts in Deuteronomy at all. In Deut 34, according to Perlitt, neither the language of the traditional P verses 1 and 7–9 is clearly Priestly, nor is the narrative flow of these verses intact in order that they might constitute a source text. In Deut 34, he concluded, there is no P, as there are no traces of P elsewhere in Deuteronomy. In the European discussion, Perlitt's arguments have gained wide acceptance.³ If Perlitt is right—and it seems that he is⁴—then the formation of the Torah with the death of Moses as its end cannot be explained any longer just as a consequence of the redactional insertion of P into JED.

Is there an alternative solution? Some recent trends in European scholarship on Deut 34 seem to follow the theory that the Torah as literary entity reaching from Genesis to Deuteronomy was not closed and shaped *for a specific purpose at all*. Christian Frevel in his 1999 monograph on P, for example, states: “Deut 34 grew into its role as the ending of the Pen-

to the text, such as the chronological system in Gen 5 or 11 or in Num 22–24, which might stem even from the Maccabean period (see Konrad Schmid, *Erzväter und Exodus: Untersuchungen zur doppelten Begründung der Ursprünge Israels innerhalb der Geschichtsbücher des Alten Testaments*, WMANT 81 [Neukirchen-Vluyn: Neukirchener Verlag, 1999], 19–22). These later changes are, however, quite limited in quantity and of minor importance. They do not challenge the general notion of a Torah formation in the fourth century.

2. Lothar Perlitt, “Priesterschrift im Deuteronomium?,” ZAW 100 Suppl. (1988): 65–877; repr., *Deuteronomium-Studien*, FAT 8 (Tübingen: Mohr Siebeck, 1994), 123–43.

3. See the overview by Eckart Otto, *Das Deuteronomium im Pentateuch und Hexateuch: Studien zur Literaturgeschichte von Pentateuch und Hexateuch im Lichte des Deuteronomiumrahmens*, FAT 30 (Tübingen: Mohr Siebeck, 2000), 212–13 n. 248.

4. Despite the monograph of Christian Frevel, *Mit Blick auf das Land die Schöpfung erinnern: Zum Ende der Priestergrundschrift*, HBS 23 (Freiburg im Breisgau: Herder, 1999).

tateuch, it was not deliberately made to be such an ending.... The entity 'Pentateuch' was most likely completed successively in redaction history without redactional insertions into Deut 34."⁵ To my mind, this assumption must be questioned.

The following paper argues for the opposite: The Torah was deliberately shaped as Torah by several textual insertions in Deut 34 with a distinct theological profile. In other words, it is possible to detect elements of a clear "Torah" redaction or a "pentateuchal redaction" in Deut 34. I will structure my arguments in three steps: first, some considerations about terminology are in order; second, I will present three textual elements in Deut 34 that can be explained as "Torah conscious" sayings; third, I will draw some conclusions.

10.2. The Terminological Problem of a Torah Redaction or a Pentateuchal Redaction

Terminology in Hebrew Bible scholarship has often been a matter of great confusion. One of the most recent examples is the concept of a *pentateuchal redaction* or of a "final redaction of the Pentateuch." This concept is used to describe either the redactional layer that combined the Yahwist

5. Christian Frevel, "Ein vielsagender Abschied: Exegetische Blicke auf den Tod des Mose in Dtn 34,1–12," *BZ* 45 (2001): 232. In a similar vein also Reinhard G. Kratz, "Der vor- und der nachpriesterschriftliche Hexateuch," in *Abschied vom Jahwisten: Die Komposition des Hexateuch in der jüngsten Diskussion*, ed. Jan C. Gertz, Konrad Schmid, and Markus Witte, *BZAW* 315 (Berlin: de Gruyter, 2002), 319 n. 110; 320 ("Relegating Deut 34:7–8, 9, 10–12 to a certain 'source' or redaction is only possible by force"). He is most concerned with finding a literary element of his "old" Hexateuch *Exod 2–Josh 12 in Deut 34:*5–6. This may or may not be correct. However, not much is dependent on the exact literary identification of the report of Moses's death that may have been part of the pre-Deuteronomistic Hexateuch. Even if one prefers Kratz's methodological option of relying on existing texts for the reconstruction of possible earlier stages rather than assuming missing or suppressed material, it still is a questionable matter whether Deut 34:*5–6 is really determined by the path of subtraction proposed by Kratz (in "Noch einmal: Theologie im Alten Testament," in *Vergegenwärtigung des Alten Testaments: Festschrift Rudolf Smend*, ed. Christoph Bultmann, Walter Dietrich, and Christoph Levin [Göttingen: Vandenhoeck & Ruprecht, 2002], 322) and not rather by the traditional logic of source criticism: the death of Moses must have been reported between Num 25 and Josh 2; thus we must find earlier textual material in Deut 34:*5–6. Unless otherwise noted, all translations are mine.

and the Priestly code (Christoph Levin), or the hand that first brought together the Priestly code and Deuteronomy and continued to play a subsequent formative role (Eckart Otto), or, in even more general terms, the basic merging of Priestly and non-Priestly material in the Pentateuch (Jan C. Gertz and Markus Witte).⁶ All of these approaches to pentateuchal redaction or the final redaction of the Pentateuch are alike in that they actually speak of a *proto*-pentateuchal redaction. The focus in all cases is on a process leading to the formation of an important preliminary stage, but not to the final formation of the Pentateuch—if I may use this problematic term *final formation* for a moment. This is seen most clearly in Levin's terminology when he speaks of *postfinal redaction* ("nachendredaktionell") in regard to several texts in the Torah. The inner semantics of this terminology is a contradiction in terms: a final redaction that does not complete the literary growth of a textual corpus is not a final redaction. Levin's terminology can only be understood against the background of the classical Documentary Hypothesis. This hypothesis saw the final redaction of the Pentateuch in the mere combination of JED and P, though this redaction itself hardly *produced* any texts. As soon as the final Pentateuch is no longer seen as just the combination of JED and P (as is widely agreed upon today, at least in European research), then one can speak of postfinal redaction texts when referring to post-Priestly additions to the Pentateuch. Without the background of this history of Hebrew Bible scholarship, it is impossible to understand this terminology.

For the sake of a clear terminology, I opt for a restricted usage of the term pentateuchal redaction or the pentateuchal redactor (whether it be a single author or a collective set of authors). With this term I refer only to redactional texts that have to do with the formation of the Pentateuch—in canonical terms: the Torah—and that show an awareness of a literary horizon that comprises the entire Pentateuch. We should not speak of a final redaction of the Pentateuch in the singular. The absence of a uniform text of Genesis to Deuteronomy without variants suggests that such

6. Christoph Levin, *Der Jahwist*, FRLANT 157 (Göttingen: Vandenhoeck & Ruprecht, 1993); Otto, *Das Deuteronomium im Pentateuch*; Jan C. Gertz, *Tradition und Redaktion in der Exoduserzählung: Untersuchungen zur Endredaktion des Pentateuch*, FRLANT 186 (Göttingen: Vandenhoeck & Ruprecht, 2000); and Markus Witte, *Die biblische Urgeschichte: Redaktions- und theologiegeschichtliche Beobachtungen zu Genesis 1,1–11,26*, BZAW 265 (Berlin: de Gruyter, 1998).

a redaction never has taken place: there were as many final redactions of the Pentateuch as we now have textual witnesses.⁷

In addition, we should not assume from the outset that a pentateuchal redactor can be identified in the text, that we can search for him, and in consequence that we can also find him. We could just as easily assume that the formation of the Torah was a process that was unproductive on a literary level. We must show, on the contrary, that there are textual passages in the Pentateuch that can be connected to the final composition of the Torah in terms of binding together the Torah complex from Genesis to Deuteronomy in a way that can be conceived literarily and theologically.

Such texts exist. How many they are we may not be able to determine with final certainty. At the least, we can determine three motifs in the final chapter of the Torah, Deut 34, that fulfill the above-mentioned criteria.⁸ I will first mention them briefly, and then I will examine some of them more extensively in a second stage of my discussion.

First among these is the promise of the land to Abraham, Isaac, and Jacob as an oath in Deut 34:4, a Leitmotiv woven through all the books of the Torah but subsequently missing in Joshua–2 Kings.⁹

YHWH said to him: This is the land of which I swore to Abraham, to Isaac, and to Jacob, saying, “To your descendants I will give it.”

Second, we can mention the famous passage in Deut 34:10 on Moses as a prophet unlike all other prophets:

7. Erhard Blum, “Gibt es die Endgestalt des Pentateuch?,” in *Congress Volume Leuven 1989*, ed. John A. Emerton, VTSup 43 (Leiden: Brill, 1991), 46–57.

8. For a different position see Hans-Christoph Schmitt, “Dtn 34 als Verbindungsstück zwischen Tetrateuch und Dtr. Geschichtswerk,” in *Das Deuteronomium zwischen Pentateuch und Deuteronomistischem Geschichtswerk*, ed. Eckart Otto and Reinhard Achenbach, FRLANT 206 (Göttingen: Vandenhoeck & Ruprecht, 2004), 181–82. Schmitt denies the presence of redactional text in Deut 34 that are only determined by the horizon established by the Pentateuch or the Hexateuch. He claims that Deut 34 also has connections to the Former Prophets. This claim alone has little consequence: not the connection itself, but rather its thematic profile when determining the literary horizon of a text is important. Schmitt also has to distance himself from the portrayal of Moses as a prophet above all prophets, and thus he is unable to interpret this portrayal in thematic detail.

9. David J. A. Clines, *The Theme of the Pentateuch*, 2nd ed., JSOTSup 10 (Sheffield: Sheffield Academic, 1997).

Never since has there arisen a prophet in Israel like Moses, whom YHWH knew face to face.

This text separates the Torah qualitatively from the subsequent reading of the Former Prophets and thus establishes the Torah as a textual authority of archetypal-prophecy over against the books of the regular prophets.

Third and finally, there is the description of the death of Moses in Deut 34:7, where Moses dies in the best of health at the age of 120. This text refers back to the corresponding restriction of human life in Gen 6:3 and thus creates a literary frame for the Torah as a whole.

To my mind these three motifs have not yet been recognized sufficiently as pentateuchal redactional texts. My discussion in the following sections will have to bracket in many questions concerning Deut 34 and will try to focus especially on this point.

10.3. Three Torah-Conscious Motifs in Deuteronomy 34

10.3.1. The Promise of the Land to Abraham, Isaac, and Jacob as Oath (34:4)

The promise of the land is a common theme in the Torah; see, for example, Gen 12:7; 13:15, 17; 15:7, 18; 17:8; 24:7; 28:4, 13; 35:12; 48:4; 50:24; Exod 13:5, 11; 32:13; 33:1; Lev 18:3; 19:23; 20:24; 23:10; 25:2, 38; Num 11:12; 14:16, 23; 32:11; Deut 1:8, 35; 6:10, 18, 23; 7:13; 8:1; 10:11; 11:9, 21; 19:8; 26:3, 15; 28:11; 30:20; 31:7, 20–21; 34:4. But there is a specific type of this promise that appears only five times in the Torah: the notion of the promise of the land to Abraham, Isaac, and Jacob as oath, without the apposition אבות “fathers,” is limited to Gen 50:24; Exod 32:12; 33:1; Num 32:11; and Deut 34:4.¹⁰ If one adds the thematically related passage in Lev 26:42, this theologoumenon turns out to be the only one present in all five books of the Torah.

Then will I remember my covenant with Jacob; I will remember also my covenant with Isaac and also my covenant with Abraham, and I will remember the land. (Lev 26:42)

By the same token, it is especially noteworthy that the land promise as oath to Abraham, Isaac, and Jacob does not appear subsequently in Joshua–2

10. Schmid, *Erzväter*, 296–99.

Kings. The land promise as oath to Abraham, Isaac, and Jacob is clearly and strictly a pentateuchal theme. It is even *the* theme of the Pentateuch both from a synchronic point of view and from a redaction-historical point of view, as especially David Clines and Thomas Römer have pointed out.¹¹

Already these general observations suggest that Deut 34:4 could be an element of a pentateuchal redaction. This point can be buttressed if one sees that the five texts putting forward the notion of the land promise to Abraham, Isaac, and Jacob as an oath already seem to presuppose P and D. Thus, they belong to the latest literary developments of the Torah. It seems that they have combined the motif of the land promise as oath that is prominent in the Deuteronomistic parts of Deuteronomy (see Deut 1:8, 35; 6:10, 18, 23; 7:13; 8:1; 9:5; 10:11; 11:9, 21; 19:8; 26:3, 15; 28:11; 30:20; 31:7, 20–21; 34:4) with the Priestly conviction that God's action toward Israel is rooted in the covenant with the ancestors (cf. Gen 17). The result is the notion of the promise of the land to Abraham, Isaac, and Jacob as an oath. Of course, one would need to demonstrate this by detailed redaction-critical investigations into the five relevant texts, and I may refer the reader here to the elaborate book *Israels Väter* by Römer.¹²

There is another argument that supports the interpretation of Deut 34:4 as a pentateuchal redactional text. Deuteronomy 34:4 clearly refers back to the beginning of the Pentateuch in Gen 12:7 and 13:15 and thus forms an *inclusio*. First, Deut 34:4 quotes the promise of the land given in Gen 12:7.

And YHWH said to him: “This is the land of which I swore to Abraham, to Isaac, and to Jacob, saying, ‘To your descendants I will give it [לזרעך אתננה].’” (Deut 34:4)

Then YHWH appeared to Abram, and said, “To your descendants I will give this land [לזרעך אתן את הארץ הזאת].” (Gen 12:7)

Second, there are clear interconnections between Deut 34:1–4 and Gen 13:10–15:

11. Clines, *The Theme of the Pentateuch*; Thomas Römer, *Israels Väter: Untersuchungen zur Väterthematik im Deuteronomium und in der deuteronomistischen Tradition*, OBO 99 (Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 1990), 566.

12. Römer, *Israels Väter*.

Then Moses went up from the plains of Moab to Mount Nebo, to the top of Pisgah, which is opposite Jericho, and YHWH made him *see all the land*: Gilead as far as Dan, all Naphtali, the land of Ephraim and Manasseh, all the land of Judah as far as the Western Sea, the Negeb, and *the plain* [בכר] of the valley of Jericho, the city of palm trees—as far as *Zoar*. And YHWH said to him: This is the land of which I swore to Abraham, to Isaac, and to Jacob, saying, “*To your descendants I will give it.*” (Deut 34:1–4)

Lot looked about him, and *saw* that *the plain* [בכר] of the Jordan was well watered everywhere like the garden of YHWH, like the land of Egypt, in the direction of *Zoar*;... And YHWH said to Abram, after Lot had separated from him, “Raise your eyes now, and *see* from the place where you are, northward and southward and eastward and westward; for *all the land* that you *see* *I will give* to you and to your descendants forever.” (Gen 13:10–15)

The cross references between Deut 34:1–4 and Gen 12:7, on the one hand, and Gen 13:10–15, on the other hand, are especially remarkable, as Gen 12:1–3, 7, and 13:10–17 belong closely together and might be part of one and the same narrative arc, as Matthias Köckert has suggested.¹³

And YHWH said to Abram, “Go from your country and your kindred and your father’s house to the *land* that I will make you *see*. I will make of you a great nation, and I will bless you, and make your name great, so that you will be a blessing. I will bless those who bless you, and the one who curses you I will curse; and in you all the families of the earth shall be blessed.” ... Then YHWH appeared to Abram, and said, “*To your descendants I will give this land.*” (Gen 12:1–3, 7)

And YHWH said to Abram, after Lot had separated from him, “Raise your eyes now, and *see* from the place where you are, northward and southward and eastward and westward; for *all the land* that you *see* *I will give* to you and to your descendants forever.” (Gen 13:15)

Deuteronomy 34:1–4 seems to take up the promise network of Gen 12–13 as a whole and stresses the fact that the land promised to Abraham is still

13. See Matthias Köckert, *Vätergott und Väterverheissungen: Eine Auseinandersetzung mit Albrecht Alt und seinen Erben*, FRLANT 142 (Göttingen: Vandenhoeck & Ruprecht, 1988), 250–55; Erhard Blum, *Studien zur Komposition des Pentateuch*, BZAW 189 (Berlin: de Gruyter, 1990), 214 n. 35.

being promised to Israel. Deuteronomy 34:4 highlights with Gen 12:7 the descendants as the recipients of the land. Like Abraham, Moses can see the land, but Moses is denied entrance to it. As a note in the margin: the Dead Sea region that Lot chooses in Gen 13 for himself and that afterward becomes a complete destruction because of Sodom and Gomorrah is explicitly included in the promised land, according to Deut 34:4. So the land that Israel shall get seems to be qualified partly and implicitly as a “paradise lost” (see the term *בגן יהוה* Gen 13:11).

If it is correct to term the notion of the promise of the land to Abraham, Isaac, and Jacob as oath (34:4) as *the* “theme of the Pentateuch” (Clines), then this gives the Torah a prophetic flavor. The Torah ends before the entering into the land, but the land is promised to Israel. Israel thus finds a basic prophetic promise in the Torah.

This brings us to the next, clearly correspondent point: the depiction of Moses as incomparable prophet in Deut 34:10. To my mind, this motif is clearly Torah conscious as well.

10.3.2. Moses as Prophet above All Prophets (34:10)

Scholars have long recognized the thematic importance of the statement in Deut 34:10.¹⁴ In this text, Moses is fundamentally separated from all other prophets and established as an arch-prophet, unmatched by any of the subsequent prophets. In terms of redaction history, one especially noteworthy aspect of this statement is the contradiction to previous statements in Deuteronomy that it allows in order to establish the incomparable status of Moses. The contradiction to Deut 18:15 is especially clear. There we read:

YHWH your God will raise up [יָקִים] for you a prophet like me from among your own people; you shall heed such a prophet. (Deut 18:15)

The promise in Deut 18:15, centered on *קום* (imperfect), is essentially abrogated in Deut 34:10 (*קום* perfect):

14. Joseph Blenkinsopp, *Prophecy and Canon* (London: SCM, 1977), 80–95; Antonius H. J. Gunneweg, “Das Gesetz und die Propheten: Eine Auslegung von Ex 33,7–11; Num 11,4–12,8; Dtn 31,14f; 34,10,” *ZAW* 102 (1990): 169–80. Gerhard von Rad, *Das fünfte Buch Mose: Deuteronomium*, ATD 8 (Göttingen: Vandenhoeck & Ruprecht, 1964), 150 limits his observations to the short notice: “The evaluation of Moses as a prophet, even as a prophet without equal, is of course Deuteronomistic.”

Never since has there arisen [קם] a prophet in Israel like Moses, whom YHWH knew face to face. (Deut 34:10)

Why does Deut 34:10 stand out against Deut 18:15? The reason is most likely to be found in the need to break apart the chain of prophetic succession starting with Moses. Whereas Deut 18:15 envisions such a succession between Moses as arch-prophet and his successors, Deut 34:10 wants to separate Moses from all other prophets. The reason for this separation between Moses and the prophets is most easily found in the formation of Torah: Moses has to be separated from the prophets as soon as the Torah is seen as superior to the Prophets (i.e., the prophetic books Joshua–Malachi as a section of the canon referred to as Prophets).

Frank Crüsemann concludes from Deut 34:10 that the primary thrust of the Pentateuch “must be seen as deeply unprophetic and noneschatological, in a certain sense even antieschatological,”¹⁵ a conclusion that has been (to my mind rightly) criticized in other contexts.¹⁶ The simple fact that Moses is referred to as a prophet, moreover as *the* prophet, opposes Crüsemann’s conclusion. There are other observations pointing us to the fact that the Torah also has prophetic characteristics such as the narratively open ending of the Torah before the entrance into the land solemnly promised to the patriarchs. It should thus be clear that Moses is placed above the prophets for the sake of the prevalence of the Torah. He is not established as an anti-prophet against the prophets.

The immediately following passage in Deut 34:11–12 fits well with the statement in Deut 34:10 regarding its theological profile:¹⁷

15. Frank Crüsemann, *Die Tora: Theologie und Sozialgeschichte des alttestamentlichen Gesetzes* (Munich: Kaiser, 1992), 402. See Crüsemann, “Israel in der Perserzeit,” in *Max Webers Sicht des antiken Christentums*, ed. Wolfgang Schluchter, Suhrkamp Taschenbuch Wissenschaft 548 (Frankfurt am Main: Suhrkamp, 1985), 214 with recourse to Blenkinsopp. This thesis has been recently taken up by Otto, *Das Deuteronomium im Pentateuch*, 230, 232.

16. Blum, *Komposition des Pentateuch*, 359; See also Stephen B. Chapman, *The Law and the Prophets: A Study in Hebrew Bible Canon Formation*, FAT 27 (Tübingen: Mohr Siebeck, 2000), 127–31.

17. Chapman, *Law and the Prophets*, 113–31; Chapman, “A Canonical Approach to Old Testament Theology? Deuteronomy 34:10–12 and Malachi 3:22–24 as Programmatic Conclusions,” *HBT* 25 (2003): 121–45.

Never since has there arisen a prophet in Israel like Moses, whom YHWH knew face to face, regarding [ב] all the *signs and wonders* [cf. Deut 6:22, 28:6] that YHWH sent him to perform *in the land of Egypt, against Pharaoh and all his servants and his entire land*, and regarding *the strong hand* and all the *great terrors* [cf. Deut 4:34, 26:8, Jer 32:21] that Moses performed *in the sight of all Israel*. (Deut 34:10–12)

This text has always aroused pronounced scholarly interest¹⁸ because divine predicates are very boldly transferred to Moses himself: Moses performs “signs and wonders”; “the strong hand” and the “great terror” are attributed to him. Biblical texts conventionally assign these attributes to God and to God alone. Aside from the passages in Deut 4:34; 6:22; 26:8; 28:6; Jer 32:21 and the rest, mentioned above in the translation of Deut 34:11–12, we should also quote Deut 29:1–2, as Deut 34:11 seems to point back especially to this text (the phrase “in the land of Egypt, against Pharaoh and all his servants and his entire land” occurs only in Deut 29:1 and 34:11):¹⁹

Moses summoned *all Israel* and said to them: “You have seen all that YHWH did before your eyes *in the land of Egypt, to Pharaoh and to all his servants and to all his land*, the *great trials* that *your eyes* saw, and those *great signs and wonders*.” (Deut 29:1–2)

Deuteronomy 29:1, however, also refers to the great signs and wonders of YHWH. Deuteronomy 34:11–12 obviously reinterprets this text and places Moses in the closest possible proximity to God—most likely in order to justify his status as the incomparable prophet that is closer to God than to human beings.

Deuteronomy 34:10 also states that God interacted with Moses face to face, a notion that can be found in Exod 33:11, Num 12:8;²⁰ 14:14 as well; see also Exod 24:10. However, similar to the relationship between

18. Andrew D. H. Mayes, *Deuteronomy*, NCB (London: Oliphants, 1979), 414; Dennis T. Olson, *Deuteronomy and the Death of Moses: A Theological Reading*, OBT (Minneapolis: Fortress, 1994), 169–70; with differentiations Chapman, *Law and the Prophets*, 126–27.

19. Otto, *Das Deuteronomium im Pentateuch*, 228–29.

20. Christoph Uehlinger, “Hat YHWH denn wirklich nur mit Mose geredet?” *Biblische Exegese zwischen Religionsgeschichte und Theologie*, am Beispiel von Num 12,” *BZ* 47 (2003): 230–59.

Deut 34:10 and 18:15, this statement accepts a contradiction to the traditional previous pentateuchal tradition, which in Exod 33:20 had explicitly negated this fact:²¹

He [Moses] said, “Show me your glory, I pray.”... And YHWH continued, “See, there is a place by me where you shall stand on the rock;... you shall see my back; but my face shall not be seen.” (Exod 33:18–23)

The statement that God interacted with Moses “face to face” in Deut 34:10 fits well with the distance established between Moses and other human beings for the sake of his closeness to God. We can thus assume the same thematic intention here as with the statements in Deut 34:11. The similar concept in Exod 33:11, Num 12:8; 14:14 may be a trace of the same pentateuchal redaction in previous books.

It is further possible that the motif of Moses’s burial by YHWH himself (34:6), unique in the entire Hebrew Bible and already corrected by the Samaritan Pentateuch (ויקברו instead of ויקבר), is also shaped by this intention. Here, too, Moses is placed in intimate proximity to God that is without analogy.

The process of deifying Moses is best explained by the desire to confer authoritative status to the Torah (for which Moses stands). Moses is placed in close connection to God so that the Torah can lay claim to equivalent authority.²²

Beside Deut 34:4 and 34:10–12, there is a third motif in Deut 34 that must be connected with the formation of the Torah: the notion of Moses’s death following a lifespan of 120 years (34:7).

21. Christoph Dohmen, “‘Nicht sieht mich der Mensch und lebt’ (Ex 33,20): Aspekte der Gottesschau im Alten Testament,” *JBTh* 13 (1998): 31–51; Friedhelm Hartenstein, “Das ‘Angesicht Gottes’ in Exodus 32–34,” in *Gottes Volk am Sinai: Untersuchungen zu Ex 32–34 und Deut 9–10*, ed. Matthias Köckert and Erhard Blum, *VWGTh* 18 (Gütersloh: Gütersloher Verlagshaus, 2001), 157–83.

22. Similar processes are present in the final passages of the Neviim in Mal 3:22–24: on the one hand, the Neviim are connected back to the Torah of Moses (“remember the Torah of Moses” 3:22); on the other hand, the text emphasizes the prophet Elijah (3:23) and his coming (probably none other than Malachi “my messenger” himself). Elijah is the only post-Mosaic prophet who had immediate contact with God following his ascension to heaven. The introduction of Elijah emphasizes that the Neviim, like the Torah, can lay claim to a similar direct relationship to God.

10.3.3. The Death of Moses Following a Lifespan of 120 Years (34:7)

The formulation in Deut 34:7 that Moses died at the age of 120 years (“Moses was one hundred twenty years old when he died”) is followed by an amazing statement that he did so in the best of health: “His sight was unimpaired and his vigor had not abated.”²³ This is especially striking, because this statement also creates a contradiction to the text in Deut 31:1–2:

When Moses had finished speaking all these words to all Israel, he said to them: “I am now one hundred twenty years old. I am no longer able to set forth and come home.” (Deut 31:1–2)

Here, too, Moses is 120 years old, yet his health is obviously no longer at its prime; he is no longer able to set forth and come home (לִצְאת וּלְבוֹא)—that is, most likely, he is no longer capable of military leadership. This contradiction could be smoothed over by a harmonizing reader, as Deut 31:2 is a personal statement by Moses himself, whereas Deut 34:7 is a narrative statement about Moses. Therefore, it may become clear that Moses’s personal assessment of his health does not accord with the actual status of his health (which, in truth, was better).²⁴ Still, Deut 34:7 remains striking: Why does the narrative emphasize Moses’s good health in the face of the previous context? Deuteronomy 34:7, as already noticed by Josephus,²⁵ has something to do with the motif of a life span of 120 years in Gen 6:3.

Then YHWH said: My spirit shall not abide in humanity forever, for they are flesh; their days shall be 120 years. (Gen 6:3)

23. Otto, *Das Deuteronomium im Pentateuch*, 226, points to the antithetical composition of Isaac (Gen 27:1) and Moses (Deut 34:7): both connected by the term *khh*, used only here.

24. Otto, *Das Deuteronomium im Pentateuch*, 226; see also Jeffrey H. Tigay, “The Significance of the End of Deuteronomy (Deuteronomy 34:10–12),” in *Texts, Temples, and Traditions: A Tribute to Menahem Haran*, ed. Michael V. Fox et al. (Winona Lake, IN: Eisenbrauns, 1996), 137–43.

25. Josephus, *Ant.* 2.152; 3.95; 4.176–193; See Klaus Haacker and Peter Schäfer, “Nachbiblische Traditionen vom Tod des Mose,” in *Josephus-Studien: Untersuchungen zu Josephus, dem antiken Judentum und dem Neuen Testament; Otto Michel zum 70. Geburtstag gewidmet*, ed. Otto Betz, Klaus Haacker, and Martin Hengel (Göttingen: Vandenhoeck & Ruprecht, 1974), 148.

In the light of Gen 6:3, the emphasis on Moses's health in Deut 34:7 can (and must) be understood as follows: Moses dies in Deut 34 for no other reason than that his lifespan has reached the limit set by God in Gen 6:3.²⁶

The connection between Deut 34:7 and Gen 6:3 has been recognized in previous scholarship,²⁷ but this connection has not been evaluated appropriately. As far as I know, this thematic connection is the only literary *inclusio* that draws a line from the ending of the Torah not only to the beginning of the patriarchal narratives in Gen 12–13, but also reaches into the primeval history.²⁸ One can detect a distinctive theological profile regarding the theological intention for this *inclusio*. The statement in Deut 34:7 that Moses is not allowed to enter the promised land simply because his lifespan has run out—and not because of any sort of wrongdoing—offers, in contrast to the D tradition (cf. Deut 1:34–37, 3:25–27)²⁹ on the one hand and the P tradition (cf. Num 20:12) on the other hand, a third reason why Moses may not enter the promised land. The Priestly tradition (probably not P^g, but rather P^s) in Num 20:12 assumes that Moses went against God by striking the rock where God had ordered a verbal miracle (“speak with the rock,” Num 20:8) and possibly even doubted that striking

26. In regard to the specific number 120, cf. the observations of Helge S. Kvanvig, “Gen 6,1–4 as an Antediluvian Event,” *SJOT* 16 (2002): 99. Hermann Gunkel, *Genesis: Übersetz und erklärt*, 6th ed., HKAT 1.1 (Göttingen: Vandenhoeck & Ruprecht, 1964), 58 points to Herodotus, *Histories* 3.23 as a parallel to the lifespan of “120 years” (in this case of Ethiopians). The issue at hand in Deut 34:7 seems similar to Ps 90, which laments enduring collective misery in the face of the limited human lifespan. Contrary to Ps 90, Deut 34:7 does not lament this limitation; instead, it simply states it and accepts it as a divine ordinance (Thomas Krüger, “Psalm 90 und die ‘Vergänglichkeit des Menschen,’” *Bib* 75 (1994): 191–219; repr., *Kritische Weisheit: Studien zur weisheitlichen Traditionskritik im Alten Testament* (Zurich: Pano, 1997), 67–89).

27. See already Benno Jacob, *Das erste Buch der Tora: Genesis* (New York: Schocken, 1934), 176–77.

28. But see also the connection between Gen 6:5–8; 8:20–22 (“evil heart”); and Deut 30:6 (“circumcision of the heart”); see Thomas Krüger, “Das menschliche Herz und die Weisung Gottes: Elemente einer Diskussion über Möglichkeiten und Grenzen der Tora-Rezeption im Alten Testament,” in *Rezeption und Auslegung im Alten Testament und in seinem Umfeld: Ein Symposium aus Anlass des 60. Geburtstags von Odil Hannes Steck*, ed. Thomas Krüger and Reinhard G. Kratz, OBO 153 (Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 1997), 65–92.

29. For a placement within redaction history see Otto, *Das Deuteronomium im Pentateuch*, 22–23; also Frevel, “Ein vielsagender Abschied,” 220–21, n. 37.

the rock would bring forth water;³⁰ thus Moses became guilty of faithlessness. The Deuteronomistic tradition, on the other hand, includes Moses in the collective guilt of the people: “Even with me YHWH was angry *on your account*.”³¹ Both explanations reckon with Moses’s guilt, be it on a personal level (as in accordance with Priestly thought), or be it on a collective level (following Deuteronomistic thinking). In contrast, Deut 34:7 agrees with neither of these two positions.³² It mentions none of these explanations for Moses’s death. Instead, it offers its own interpretation: Moses is not allowed to enter the promised land, because his lifespan of 120 years has just run out. Moses’s death east of the Jordan is not caused by personal or collective debt, but by fate, that is, by the divinely ordained limitation of the human lifespan.

The interesting fact that now needs to be highlighted is this: the theological profile of Deut 34:7—Moses’s death has nothing to do with personal guilt but rather with fate—matches the thematic thrust of Gen 6:3 within the framework of Gen 6:1–4, as Manfred Oeming has shown.³³ Even if the redactional inclusion of the narrative of the “angel marriages” in Gen 6:1–4 (and thus also Gen 6:3) is a matter of controversial debate (it has even been suggested that there is a link to the Book of Watchers in 1 En. 6–11),³⁴ we can at least state that the heavenly interference of divine sons with human daughters in its current literary position offers a (additional) reason for the flood:³⁵ the flood solves the problem created by the mixing of the divine and human sphere, not caused by human guilt, but rather by transcendent fate.

30. The statement—probably kept vague out of respect for Moses—in Num 20:10 (מים) (המִן־הַסֵּלַע הַזֶּה נֹצֵיאַ לָכֶם מַיִם) would then be interpreted as follows: “Should we really be able to produce water from this rock?”

31. Cf. Deut 1:36 and 3:26: גַּם־בִּי הִתְאַנֵּף יְהוָה בְּגַלְלָכֶם.

32. Thomas Römer, “Deuteronomium 34 zwischen Pentateuch, Hexateuch und deuteronomistischem Geschichtswerk,” *ZABR* 5 (1999): 167–78; Thomas Römer and Mark Z. Brettler, “Deuteronomy 34 and the Case for a Persian Hexateuch,” *JBL* 119 (2000): 408.

33. Oeming, “Sünde als Verhängnis: Gen 6,1–4 im Rahmen der Urgeschichte des Jahwisten,” *TTZ* 102 (1993): 34–50.

34. Mirjam Zimmermann and Ruben Zimmermann, “‘Heilige Hochzeit’ der Göttersöhne und Menschentöchter,” *ZAW* 111 (1999): 327–52; Kvanvig, “Gen 6,1–4”; Kvanvig, “The Watcher Story and Genesis: An Intertextual Reading,” *SJOT* 18 (2004): 163–83.

35. David J. A. Clines, “The Significance of the ‘Son of God’ Episode (Genesis 6:1–4) in the Context of the ‘Primeval History’ (Genesis 1–11),” *JSOT* 13 (1979): 33–46; Ronald Hendel, “Of Demigods and the Deluge: Towards an Interpretation of Genesis 6:1–4,” *JBL* 106 (1987): 13–26.

If we combine this theological connection with the fact that Gen 6:3/Deut 34:7 is the only literary bracket around the Pentateuch as a whole, including the primeval history,³⁶ then we may reach the conclusion that we are looking at an empirical element of pentateuchal theology: the Pentateuch contains—from the point of view of the pentateuchal redactor—a legal theology explaining that punishment not only results from human misdeed, say, sin, but also from fateful ordinances.

Deuteronomy 34:7 thus promotes a complex view of the theology of the Torah: as a textual corpus containing much legal material, the majority of the Torah neither promotes a simple idea of retribution, nor is the theology of divine grace, as introduced by the Priestly document, its sole dominant factor. The redaction that created the Torah added a third perspective—probably influenced from a wisdom point of view—beyond punishment and grace as the only divine regulators of world order: there are realities in the world that are the way they are because they were ordained to be that way. *Nota bene*, the limitation of human life to 120 years is not only seen negatively. It contrasts with the exceptionally long life-spans of the patriarchs before the flood in P that were primarily used to accumulate חַמַּס “violence.” If a human being lives for only 120 years, then the time in which he can accumulate violence is also limited.

10.4. Concluding Remarks

With Deut 34:4, 7, 10–12 we have three passages that can be connected with the formation of the Pentateuch as Torah, and thus seem to belong together. Deuteronomy 34:7 refers back to the primeval history, Deut 34:4 to the patriarchal narratives, and Deut 34:10–12 to the Moses narratives; thus, allusions to the three main thematic sections of the Torah are combined in Deut 34 in one text.

Deut 34:7	Primeval history (Gen 1–11)
Deut 34:4	Patriarchal story (Gen 12–50)
Deut 34:10–12	Moses story (Exod–Deut)

36. Frevel, “Ein vielsagender Abschied,” 230, paradoxically states, “that Deut 34 does not refer back to the beginning of the Pentateuch, neither to the creation nor to the primeval history,” although according to his opinion as well, Deut 34:7 looks back to Gen 6:3 (223).

In this perspective, Deut 34 clearly exhibits characteristics of a pentateuchal redactional text. I will refrain here from a detailed redaction-historical discussion of this chapter, which seems to be written in several stages.³⁷ But we may maintain that at least in 34:4, 7, and 10–12 a redactional reworking can be detected that connects with the formation of the Torah dated to the late Persian period.³⁸ It focuses on the promise of the land, the status of the Torah as arch-prophecy superior to regular prophecy, and on a theology of fate that completes traditional notions such as grace and the interrelationship between sin and sanction.

37. Félix García López, “Deut 34, Dtr History and the Pentateuch,” in *Studies in Deuteronomy: In Honour of C. J. Labuschagne on Occasion of His Sixty-Fifth Birthday*, ed. Florentino García Martínez et al., VTSup 53 (Leiden: Brill, 1994), 47–61; Römer, “Deuteronomium 34”; Otto, *Das Deuteronomium im Pentateuch*, 211–33; Kratz, “Hexateuch,” 316–22.

38. See n. 1.

The Persian Imperial Authorization as Historical Problem and as Biblical Construct: A Plea for Distinctions in the Current Debate

11.1. The Current Debate

The theory of a Persian imperial authorization of the Torah has become one of the most successful hypotheses of Old Testament scholarship during the past several decades.¹ The theory has primarily been associ-

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1. See Rainer Albertz, *From the Exile to the Maccabees*, vol. 2 of *A History of Israelite Religion in the Old Testament Period*, trans. John Bowden (London: SCM, 1994), 466–71; trans. of *Religionsgeschichte Israels in alttestamentlicher Zeit*, GAT 8.1–2 (Göttingen: Vandenhoeck & Ruprecht, 1992), 497–504. See also Joseph Blenkinsopp, *The Pentateuch: An Introduction to the First Five Books of the Bible* (New York: Doubleday, 1992), 239–42; David M. Carr, *Reading the Fractures of Genesis: Historical and Literary Approaches* (Louisville: Westminster John Knox, 1996), 324–33; Frank Crüsemann, “Das ‘portative’ Vaterland,” in *Kanon und Zensur: Archäologie der literarischen Kommunikation II*, ed. Aleida Assmann and Jan Assmann (Munich: Fink, 1987), 63–79; Crüsemann, *The Torah: Theology and Social History of Old Testament Law* (Minneapolis: Fortress, 1996); trans. of *Die Tora: Theologie und Sozialgeschichte des alttestamentlichen Gesetzes* (Munich: Kaiser, 1992); Crüsemann, “Der Pentateuch als Tora: Prolegomena zur Interpretation seiner Endgestalt,” *EvT* 49 (1989): 250–67; Reinhard G. Kratz, *Translatio imperii: Untersuchungen zu den aramäischen Danielerzählungen und ihrem theologiegeschichtlichen Umfeld*, WMANT 63 (Neukirchen-Vluyn: Neukirchener Verlag, 1991), 233–55; Ernst Axel Knauf, *Die Umwelt des Alten Testaments*, NSK.AT 29 (Stuttgart: Katholisches Bibelwerk, 1994), 171–75; Jon L. Berquist, *Judaism in Persia’s Shadow: A Social and Historical Approach* (Minneapolis: Fortress, 1995),

ated with the name of Peter Frei.² However, it is important to recognize that Erhard Blum formulated the theory independently in the mid-1980s, although he first published his results only in 1990.³ Neither Frei nor Blum invented this theory, however, which had earlier been proposed by Eduard Meyer, Hans Heinrich Schaefer, Martin Noth, Edda Bresciani, Ulrich Kellermann, Wilhelm in der Smitten, and others. Frei and Blum, as well as Udo Rüterswörden, recognized this earlier history of the model.⁴ Indeed, Meyer had already contended in 1896:

138–39; Horst Seebass, “Pentateuch,” *TRE* 26:189–90; Konrad Schmid, *Genesis and the Moses Story: Israel’s Dual Origins in the Hebrew Bible*, Siphut 3 (Winona Lakes, IN: Eisenbrauns, 2010), 271 n. 631; trans. of *Erzväter und Exodus: Untersuchungen zur doppelten Begründung der Ursprünge Israels innerhalb der Geschichtsbücher des Alten Testaments*, WMANT 81 (Neukirchen-Vluyn: Neukirchener Verlag, 1999), 291 n. 658; Odil H. Steck, *Der Abschluss der Prophetie im Alten Testament: Ein Versuch zur Frage der Vorgeschichte des Kanons*, BThSt 17 (Neukirchen-Vluyn: Neukirchener Verlag, 1991), 13–21; Steck, “Der Kanon des hebräischen Alten Testaments: Historische Materialien für eine ökumenische Perspektive,” in *Verbindliches Zeugnis I: Kanon – Schrift – Tradition*, ed. Wolfhart Pannenberg and Theodor Schneider, Dialog der Kirchen 7 (Freiburg im Breisgau: Herder; Göttingen: Vandenhoeck & Ruprecht, 1992), 16; James W. Watts, *Reading Law: The Rhetorical Shaping of the Pentateuch*, BibSem 59 (Sheffield: Sheffield Academic, 1999), 137–44; Erich Zenger, *Einleitung in das Alte Testament*, KStTh 1.1 (Stuttgart: Kohlhammer, 1995), 39–42 (but see the adjustments in the 5th ed. [2004] of his *Einleitung*, 129–31); Zenger, “Der Pentateuch als Tora und als Kanon,” in *Die Tora als Kanon für Juden und Christen*, ed. Erich Zenger, HBS 10 (Freiburg im Breisgau: Herder, 1996), 5–34. Hans G. Kippenberg uses the stronger term “Reichssanktionierung,” but he reckons with a similar phenomenon (*Die vorderasiatischen Erlösungsreligionen in ihrem Zusammenhang mit der antiken Stadtherrschaft*, Suhrkamp Taschenbuch Wissenschaft 917 [Frankfurt: Suhrkamp, 1991], 181–82).

2. Peter Frei, “Zentralgewalt und Lokalautonomie im Achämenidenreich,” in *Reichsidee und Reichsorganisation im Perserreich*, by Peter Frei and Klaus Koch, 2nd ed., OBO 55 (Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 1996), 5–131; Frei, “Zentralgewalt und Lokalautonomie im achämenidischen Kleinasien,” *Transeu* 3 (1990): 157–71; Frei, “Die persische Reichsautorisation: Ein Überblick,” *ZABR* 1 (1995): 1–35; trans., “Persian Imperial Authorization: A Summary,” in *Persia and Torah: The Theory of Imperial Authorization of the Pentateuch*, ed. James W. Watts, SymS 17 (Atlanta: Scholars Press, 2001), 5–40.

3. Erhard Blum, *Studien zur Komposition des Pentateuch*, BZAW 189 (Berlin: de Gruyter, 1990), 333–60 (see the statement in 345 n. 42); Blum, “Esra, die Mosetora und die persische Politik,” in *Religion und Religionskontakte im Zeitalter der Achämeniden*, ed. Reinhard G. Kratz, VWGTh 22 (Gütersloh: Gütersloher Verlagshaus, 2001), 250 n. 80.

4. Frei, “Zentralgewalt und Lokalautonomie im Achämenidenreich,” 16 n. 19;

The introduction of such a law book [i.e., Ezra's law] for a designated group of subjects is only possible if it is authorized by the empire itself, if it has become the law of the king. This is explicitly stated in v. 26 [i.e., Ezra 7:26].⁵

After enjoying wide reception and agreement, this positive attitude toward the theory seems to have changed in recent scholarship. Following the critical discussion of this theory in the first volume of the *Zeitschrift für altorientalische und biblische Rechtsgeschichte* (1995), additional objections rapidly followed by Eckart Otto, Hans-Christoph Schmitt, and Amelie Kuhrt, as well as those included in the anthology *Persia and Torah*, compiled by James W. Watts.⁶ Consequently, the majority of current scholarship seems to have distanced itself from the theory. Otto, for example, arrives at a decisive conclusion when he states in his review of the volume *Persia and Torah* that "the theory ... has been unanimously rejected by experts in the field of Iranian Studies."⁷ His review concludes:

Blum, *Komposition des Pentateuch*, 346–47 and nn. 44 and 52; Blum, "Esra," 250 n. 78; Udo Rüterswörden, "Die persische Reichsautorisation der Thora: Fact or Fiction?," *ZABR* 1 (1995): 51 nn. 17–20.

5. Eduard Meyer, *Die Entstehung des Judenthums: Eine historische Untersuchung* (Halle: Niemeyer, 1896), 66. Translations and parenthetical insertions, unless otherwise stated, are mine.

6. Eckart Otto, "Kritik der Pentateuchkomposition," *TRu* 60 (1995): 169 n. 5; Otto, "Die nachpriesterschriftliche Pentateuchredaktion im Buch Exodus," in *Studies in the Book of Exodus: Redaction-Reception-Interpretation*, ed. Marc Vervenne, BETL 126 (Leuven: Leuven University Press, 1996), 66–70; Otto, "Gesetzesfortschreibung und Pentateuchredaktion," *ZAW* 107 (1995): 375 and n. 14; Otto, *Die Tora des Mose: Die Geschichte der literarischen Vermittlung von Recht, Religion und Politik durch die Mosegestalt*, Berichte aus den Sitzungen der Joachim Jungius-Gesellschaft der Wissenschaften (Hamburg: Joachim Jungius Gesellschaft der Wissenschaften, 2001), 51–52. Hans-Christoph Schmitt, "Die Suche nach der Identität des Jahweglaubens im nachexilischen Israel: Bemerkungen zur theologischen Intention der Endredaktion des Pentateuch," in *Pluralismus und Identität*, ed. Joachim Mehlhausen, VWGTh 8 (Gütersloh: Gütersloher Verlagshaus, 1995), 263–67; Schmitt, "Das spätdeuteronomistische Geschichtswerk Gen I–2 Regum XXV und seine theologische Intention," in *Congress Volume Cambridge 1995*, ed. John A. Emerton, VTSup 66 (Leiden: Brill, 1997), 261–79. Amelie Kuhrt, "The Persian Kings and Their Subjects: A Unique Relationship?," *OLZ* 96 (2001): 166–73. But see the short discussion in Konrad Schmid, "Persische Reichsautorisation und Tora," *TRu* 71 (2006): 494–506. The present article draws upon and elaborates significantly on the analysis provided there.

7. Eckart Otto, review of *Persia and Torah*, edited by James W. Watts, *ZABR* 8

The judgment, long after Iranian studies has reached it, has thus also been pronounced in the field of Old Testament scholarship. The Pentateuch, this is the conclusion, is not the result of Persian “midwifery,” but rather of Jewish scribal scholarship during the Persian era.⁸

However, the issue is not as simple as Otto maintains. In §11.2 I will demonstrate that the objections raised by Josef Wiesehöfer, the Iranologist cited so frequently by the critics of Frei’s position in the German realm, arise from a misreading of Frei’s actual theory.⁹ Therefore, they do not

(2002): 411–14: “die These ... durch die Fachiranisten einhellig abgelehnt worden [ist].”

8. Otto, review of *Persia and Torah*, 413. See Otto, “Rechtshermeneutik des Pentateuch und die achämenidische Rechtsideologie in ihren altorientalischen Kontexten,” in *Kodifizierung und Legitimierung des Rechts in der Antike und im Alten Orient*, ed. Markus Witte and Marie Theres Fögen, BZABR 5 (Wiesbaden: Harassowitz, 2005), 105–6. This judgment is not unique. See, e.g., Christoph Dohmen and Manfred Oeming, *Biblischer Kanon: Warum und wozu? Eine Kanontheologie*, QD 137 (Freiburg im Breisgau: Herder, 1992), 91 and n. 3; Norbert Lohfink, “Gab es eine deuteronomistische Bewegung?” in *Jeremia und die “deuteronomistische Bewegung”*, ed. Walter Gross, BBB 98 (Weinheim: Beltz Athenäum, 1995), 369–70; repr., *Studien zum Deuteronomium und zur deuteronomistischen Literatur III*, SBAB 20 (Stuttgart: Katholisches Bibelwerk, 1995), 65–142; Titus Reinmuth, “Reform und Tora bei Nehemia: Neh 10,31–40 und die Autorisierung der Tora in der Perserzeit,” *ZABR* 7 (2001): 287–317; Horst Seebass, “Das Erbe Martin Noths zu Pentateuch und Hexateuch,” in *Martin Noth—aus der Sicht der heutigen Forschung*, ed. Udo Rüterswörden, BThSt 58 (Neukirchen-Vluyn: Neukirchener Verlag, 2004), 25 n. 13 (contra his own position in Seebass, “Pentateuch,” 205); Pierre Briant, “Histoire impériale et histoire régionale: A propos de l’histoire de Juda dans l’empire achéménide,” in *Congress Volume Oslo 1998*, ed. André Lemaire and Magne Sæbø, VTSup 80 (Leiden: Brill, 2000), 241–42; Ernst Baltrusch, *Die Juden und das Römische Reich: Geschichte einer konfliktreichen Beziehung* (Darmstadt: Wissenschaftliche Buchgesellschaft, 2002), 162 n. 57; Hugh G. M. Williamson, review of *Priester und Leviten im achämenidischen Juda: Studien zur Kult- und Sozialgeschichte Israels in persischer Zeit*, by Joachim Schaper, *JTS* 54 (2003): 615–20; Wolfgang Oswald, *Israel am Gottesberg: Eine Untersuchung zur Literaturgeschichte der vorderen Sinaiperikope Ex 19–24 und deren historischem Hintergrund*, OBO 159 (Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 1998), 224–29; Juha Pakkala, *Ezra the Scribe: The Development of Ezra 7–10 and Nehemia 8*, BZAW 347 (Berlin: de Gruyter, 2004), 38; Erhard S. Gerstenberger, *Israel in the Persian Period: The Fifth and Fourth Centuries B.C.E.*, trans. Siegfried S. Schatzmann, BibEnc 8 (Atlanta: Society of Biblical Literature, 2011), 421–22.

9. Josef Wiesehöfer, “‘Reichsgesetz’ oder ‘Einzelfallgerechtigkeit?’ Bemerkungen zu P. Frei’s These von der achämenidischen ‘Reichsautorisation,’” *ZABR* 1 (1995):

invalidate the theory itself. Moreover, the two opposing positions are not so far apart as commonly assumed.

The present discussion of the Persian imperial authorization of the Torah calls for some basic clarification. Foremost, one must introduce a fundamental distinction between two different issues that are best discussed separately: On the one hand, the question arises whether there ever was such a legal institution in the Persian Empire. On the other hand, there is the debate as to whether the completion of the Torah (or rather the formation of relevant literary precursors) might be connected to such a process of imperial authorization of local laws. Both questions should be differentiated further. The dichotomy between a pro or contra stance toward Persian imperial authorization that dominates recent scholarly discussions is too simplistic. In most cases where this theory is rejected, the rejection does not apply to more than a specific version of this theory.

There is no reason to deny that at least some local laws indeed were authorized by higher authorities such as the satraps. This is the unavoidable minimal interpretation of the trilingual inscription of Xanthos, which prompted Frei to develop his theory.¹⁰ On the front face of the stele, the satrap Pixodaros publishes the decision of the community of Xanthos to establish a cult for two Carian deities as his own decree in Aramaic, the imperial language. This provides clear evidence for the elevation of local legislation to imperial legislation. This kind of decentralized legal system is only to be expected within the Persian Empire, especially for such highly developed cultures as Greece, Asia Minor, Judah, or Egypt. The successful administration of an ancient empire necessitated that

36–45. Hilmar Klinkott largely follows his teacher Wiesehöfer in rejecting the theory of a Persian imperial authorization of local laws (*Der Satrap: Ein achämenidischer Amtsträger und seine Handlungsspielräume*, Oikumene 1 [Frankfurt: Antike, 2005] 133–34). Additionally, he strictly distinguishes between *dāta* as “imperial law” and *dīnu* as “local law.” This strict thesis, however, can easily be disproven by the use of *dāta* in line 19 of the Letoon Trilingual (see n. 10, below). Here Satrap Pixodarus publishes the local decree of the Xanthos community as his own: “He has written this law [*data*].” For a discussion of the term *dāta* see Rüdiger Schmitt, “Dāta,” in vol. 7 of *Encyclopaedia Iranica*, ed. Ehsan Yarshater (Costa Mesa: Mazda, 1996), 114–15; Gregor Ahn, “‘Toleranz’ und Reglement: Die Signifikanz achämenidischer Religionspolitik für den jüdisch-persischen Kulturkontakt,” in Kratz, *Religion und Religionskontakte*, 202–4; Otto, “Rechtshermeneutik,” 86–89.

10. Henri Metzger et al., *Fouilles du Xanthos VI: La stèle trilingue du Létôon* (Paris: Klincksieck, 1979).

local autonomy be permitted at key junctures. The administrative effort of introducing and enforcing a centralized legal corpus would be prohibitively high. Scholars have nonetheless searched for this body of law.¹¹ The search is most likely in vain.¹² Such an attempt at creating a centralized legal corpus could hardly meet with success. Our question cannot be: “Did a ‘Persian Imperial Authorization’ exist?” but must be rather, “How can we best describe processes whereby Persian authorities created local autonomy—processes that are only to be expected and that can be substantiated beyond any doubt?”

Accordingly, we have to differentiate the issue of the relation between the establishment of the Torah and Persian policy further. Here, too, the question is not whether this relation should be assumed or rejected as a whole, but rather how and in what manner the Torah is connected to its historical Persian context and what political forces influenced its creation.

11.2. What Peter Frei Originally Meant by Imperial Authorization and How His Critics Understood His Theory

Frei defines the Persian imperial authorization as follows:

By definition it [i.e., the Persian imperial authorization] is a process by which the norms established by a local authority are not only approved and accepted by a central authority, but adopted as its own. The local norms are thereby established and protected within the framework of the entire state association, that is, the empire, as higher-ranking norms binding all.¹³

11. See esp. the theory of Albert T. Olmstead, *A History of the Persian Empire* (Chicago: University of Chicago Press, 1948) 119–34; and Olmstead, “Darius as Lawgiver,” *AJS* 51 (1934–1935): 247–49. Note the discussion of Olmstead by Otto, “Rechtshermeneutik,” 85.

12. See Richard Nelson Frye, *The History of Ancient Iran*, HAW 3.7 (Munich: Beck, 1984), 119.

13. Frei, “Persian Imperial Authorization,” 7. Original: “Zu definieren ist [die Reichsautorisation] als ein Verfahren, durch das die von einer lokalen Instanz gesetzten Normen von einer Instanz der Zentrale nicht einfach gebilligt und akzeptiert, sondern übernommen und zur eigenen Norm gemacht werden. Die lokale Norm wird dadurch im Rahmen des gesamten staatlichen Verbandes, eben des Reiches, als Norm höheren Ranges für alle verbindlich gemacht und gesichert” (Frei, “Die persische Reichsautorisation,” 3). See also 29: “Anzunehmen ist, dass durch [die Reichsautorisation] die von einer lokalen Körperschaft, die lediglich Untertanenstatus hatte, gesetzte

These statements have given rise to misunderstandings that have led some to reject the theory as a whole. Frei was primarily interested in qualitative aspects of the central administration's adoption of local norms and the elevation of those norms to the status of imperial law. Scholars have presumed, however, that Frei's interest indicated something he never intended: that the local norms were centrally registered and codified as "imperial law." In a contribution to the discussion of Persian imperial authorization that has been influential, at least in the German-speaking realm, Wiesehöfer seems to have understood Frei in exactly this sense: "There is no indication that a central register, a central archive containing the specific local regulations, ever existed."¹⁴

Wiesehöfer concedes, however, that the central authority of the Persian Empire did have processes to ratify local norms. Insofar as he makes this concession, his understanding is quite close to Frei's argument. His main objection concerns this very point of central registration and codification of the approved local norms. Wiesehöfer himself repeats it again: "But I do not see any indication, in texts outside the Old Testament and in Ezra, that anything resembling a 'Persian imperial law' that also included local norms turned into imperial norms ever existed."¹⁵

Frei, however, never makes this claim. He is interested in the legal status of the local norms authorized by the central administration, not in their central codification and archiving. For Frei, *imperial authorization* refers to a specific quality of the relevant laws, not to a process of establishing a central Persian law out of several local regulations. Furthermore, he does not claim that regulations that went through the process of an imperial authorization became binding norms in all parts of the empire. Rather,

Norm auf die Stufe der Reichsgesetzgebung gehoben wurde und dadurch entsprechende Autorität genoss" ("It is apparent, however, that through it [the imperial authorization], the legal norms of a local body with subordinate status were elevated to the status of imperial legislation and so enjoyed corresponding authority" [Frei, "Persian Imperial Authorization," 38]).

14. Wiesehöfer, "'Reichsgesetz' oder 'Einzelfallgerechtigkeit?,'" 44: "Auf ein Reichszentralkataster, ein Reichszentralarchiv, das auch die speziellsten lokalen Regelungen notiert, gibt es keinen Hinweis."

15. Wiesehöfer, "'Reichsgesetz' oder 'Einzelfallgerechtigkeit?,'" 44. In a similar vein, see Ahn, "'Toleranz' und Reglement," 194 n. 18; Gary N. Knoppers, "An Achaemenid Imperial Authorization of Torah in Yehud?," in Watts, *Persia and Torah*, 134; Ludwig Massmann, "Persien und die Tora," *ZABR* 9 (2003): 249.

he has in mind “lokal gültiges Reichsrecht” (“locally valid imperial law”).¹⁶ He admits, however, that his phrasing was not completely clear and that it was part of the reason for Wiesehöfer’s misreading.¹⁷

But Wiesehöfer’s criticism went on to develop its own tradition. Gregor Ahn, for example, offers a criticism of Frei’s theory in the mood of Wiesehöfer:

The suggestion that the Achaemenid central administration may have initiated an all-encompassing process of local law codification (“Imperial authorization”) misinterprets the Persian policy. It was not centrally steered but reacted to local queries. Neither the case of the so-called “Letoon Trilingual” nor the compilation of the Pentateuch in Judah provide any evidence for such a suggestion.¹⁸

One can find here a misunderstanding similar to Wiesehöfer’s. Ahn seems to identify Persian imperial authorization with the process of a central codification of local laws. If imperial authorization is (mis)understood in this way, then of course, there is no evidence to postulate this legal institution. However, Thierry Petit assumes such a central codification for the notice found in the Demotic Chronicle (as well as in Diodorus Siculus I, 94–95) according to which King Darius collected and recorded Egyptian laws.¹⁹ The historical reliability of the Demotic Chronicle is, however, contested.²⁰ At any rate, Frei did not have such a central archive in mind. Ahn’s

16. Frei, “Zentralgewalt und Lokalautonomie im Achämenidenreich,” 13.

17. Peter Frei, oral communication with author, 3 November 2003. See esp. his phrases in the quotation above at n. 13: “adopted as its own” and “higher-ranking norms binding all.”

18. Gregor Ahn, “Israel und Persien,” *RGZ* 4:310.

19. See Wilhelm Spiegelberg, *Die sogenannte Demotische Chronik des Pap. 215 der Bibliothèque Nationale zu Paris nebst den auf der Rückseite des Papyrus stehenden Texten*, Demotische Studien 7 (Leipzig: Hinrichs, 1914); Thierry Petit, *Satrapes et satrapies dans l’empire achéménide de Cyrus le Grand à Xerxès Ier*, Bibliothèque de la Faculté de Philosophie et Lettres de l’Université de Liège 254 (Liège: Université de Liège, 1990).

20. Donald B. Redford holds the reports in the Demotic Chronicle to be of little value for the historical reconstruction of Achaemenid Egypt (“The So-Called ‘Codification’ of Egyptian Law under Darius I,” in Watts, *Persia and Torah*, 135–59). Diodorus of Sicily presents Persian period Egypt in a Hellenistic fashion, therefore with its own legislation. The Demotic Chronicle, according to Redford, is no witness to an imperial authorization or codification of Egyptian laws, but it might reflect the

second objection likewise fails to match Frei's intentions. Ahn thinks that Persian imperial policy functioned bottom up, and not top down. Local authorities, rather than the central administration, initiated processes for the acceptance of local laws. This suggestion completely concurs with Frei's interpretation of the trilingual inscription of Xanthos:

The desire to obtain an authorization is part of the community's decree....
The attempt to have an authorization issued was ... neither taken for granted nor obligatory.²¹

Frei remains uncertain about but did not preclude the possibility of top-down processes of imperial authorization, as was the case in the recording of Egyptian laws by Darius I (522–486 BCE).

Another of Wiesehöfer's objections addresses the fact that not all of Frei's examples indicate that the Persian king himself was involved.²² This observation is correct, but one should not overestimate its importance. Outside of the homeland, the satrap clearly represents the central government and attends to its interests in the particular satrapy.²³ However, for Darius's legislation in Egypt and Ezra's mission in Judah, the sources—Diodorus Siculus, *Bib. hist.* 1.95.4 and Ezra 7—explicitly mention and even stress that the central government was involved in the process.²⁴ These two cases in particular, however, at least in their literary presentation, are suspect: they may very well be fictitious, so that one might assume that, historically, the involvement of the satrap was the normal case. This stands to reason: The satrap's task in matters of legislation was not only to imple-

historical translation of economic documents of Egyptian temples into Aramaic, the lingua franca of the Persian Empire, which allowed the Persian authorities to tax and administer these temples.

21. Frei, "Persian Imperial Authorization," 36. Original: "Dass man die Autorisation einholen wolle, ist ein Teil des Volksbeschlusses.... Das Ersuchen um die Autorisation [war] ... demnach nicht selbstverständlich und also nicht obligatorisch" (Frei, "Die persische Reichsautorisation," 27).

22. Wiesehöfer, "'Reichsgesetz' oder 'Einzelfallgerechtigkeit?'" 44.

23. On the relation between the satraps to the king of kings see Pierre Briant, *From Cyrus to Alexander: A History of the Persian Empire* (Winona Lake, IN: Eisenbrauns, 2002), 338–47. For this question, see esp. Klinkott, *Satrap*, 134. As a rule, satraps were in charge of legal matters; the king of kings could get involved at any point if the local population appealed to him (Briant, *From Cyrus to Alexander*, 345).

24. Frei, "Persian Imperial Authorization," 9–12.

ment the will of the central government but also to respect local demands. His duty was to mediate between local and central interests.²⁵ The explicit involvement of the Persian king in the process might (or might not) be a special feature of literary presentations like those of Diodorus and Ezra 7, which have a special interest in highlighting the imperial status of the legislation in relevant parts of the Persian Empire.

Thus far, one may conclude that the criticisms that Iranologists such as Wiesehöfer and Ahn make against Frei's theory of the imperial authorization of local laws contain objections based on some misreadings of the theory but are not objections to the fundamental theory itself. Therefore, it is only appropriate that contributors to the *Persia and Torah* volume edited by Watts do not unanimously argue against the Persian imperial authorization. Gary Knoppers, for example, opts for a more open definition of the process referred to as "imperial authorization." He does not assume a highly centralized and uniform Persian policy of authorizing local norms, but recognizes different forms of tolerance regarding local autonomy.²⁶ Joseph Blenkinsopp distances himself to a certain degree from his former support of the theory of "imperial authorization" without rejecting it as a whole.²⁷ He acknowledges the main evidence for the "imperial authorization" put forward by Frei in the Trilingual Inscription of Xanthos and views this process as one of several instruments of the Persian administration that probably was not that important on a large scale.²⁸

Knoppers argues that it is indeed prudent to reject a uniformly reductionist notion of Persian imperial authorization connected to the idea of a central archive, a central administration, and the central role of the king of kings (instead of a satrap). However, his argument would still be in keeping with Frei's theory. Serious problems would arise for Frei, however, if the new monograph by Sebastian Grätz were correct in its objections to the theory of Persian imperial authorization.²⁹ Building on

25. Klinkott, *Der Satrap*, 148.

26. Knoppers, "Achaemenid Imperial Authorization," 134.

27. Joseph Blenkinsopp, "Was the Pentateuch the Civic and Religious Constitution of the Jewish Ethnos in the Persian Period?," in Watts, *Persia and Torah*, 41–62. For Blenkinsopp's earlier stance, see n. 1, above.

28. Blenkinsopp, "Was the Pentateuch," 46.

29. Sebastian Grätz, *Das Edikt des Artaxerxes: Eine Untersuchung zum religionspolitischen und historischen Umfeld von Esra 7,12–26*, BZAW 337 (Berlin: de Gruyter, 2004); Grätz, "Esra 7 im Kontext hellenistischer Politik: Der königliche Euergetismus in hellenistischer Zeit als ideeller Hintergrund von Esr 7,12–26," in *Die Griechen*

the work of his teacher Rüterswörden,³⁰ Grätz suggests that Ezra 7:12–26 is a Hellenistic deed of donation because it reflects the Hellenistic praxis of *euergetis*: that is, the practice of beneficence often undertaken by Hellenistic kings to present themselves as generous donors to their subdued population. The edict in Ezra 7:12–26 is important especially for the final invocation of sanctions for any infraction: “All who will not obey *the law of your God and the law of the king*, let judgment be strictly executed on them, whether for death or for banishment or for confiscation of their goods or for imprisonment” (Ezra 7:26). This statement has gained a lot of attention in the discussion about Persian imperial authorization, as scholars have often interpreted the direct juxtaposition of “the law of your [that is, Ezra’s] God” and “the law of the [Persian] king” in 7:26 to indicate that both entities were identical—in the sense of a Persian authorization of Ezra’s law.³¹ “The law of the king” is nowhere introduced in the preceding context, so this proposal could be an elegant solution to clarify the phrase’s ambiguity.

According to Grätz, however, one cannot employ Ezra 7:12–26 to reconstruct Persian imperial policy. Grätz argues that the edict of Artaxerxes preserved in Ezra 7:12–26 reflects a Hellenistic fiction. His proposals are unconvincing. He himself admits that there are very few analogies to the supposed genre of endowment grants that he introduces in his analysis of Ezra 7:12–26.³² In addition, the statements in Ezra 7:25–26 have concerns other than those of an endowment. The sanction mentioned in Ezra 7:26 does not fit the genre, and Grätz has to explain it away by assuming a textual influence from Deut. 17:11–12.³³ In the end, Grätz’s theory depends on his cross-checking of the availability of any external parallels to Ezra 7:12–26 in Achaemenid texts: “Stated concretely: Was there ever a

und das antike Israel: Interdisziplinäre Studien zur Religions- und Kulturgeschichte des Heiligen Landes, ed. Stefan Alkier and Markus Witte, OBO 201 (Fribourg: Academic Press; Göttingen: Vandenhoeck & Ruprecht, 2004) 131–54. See also Ernst Baltrusch, review of *Das Edikt des Artaxerxes: Eine Untersuchung zum religionspolitischen und historischen Umfeld von Ezra 7,12–26*, by Sebastian Grätz; <https://tinyurl.com/SBL2646d>.

30. See Rüterswörden, “Die persische Reichsautorisation der Thora.”

31. See, e.g., Thomas Willi, *Juda–Jehud–Israel: Studien zum Selbstverständnis des Judentums in persischer Zeit*, FAT 12 (Tübingen: Mohr Siebeck, 1995), 91–117 and the bibliography provided there.

32. Grätz, *Das Edikt*, 139–40; the examples from Ezra 6:7–13; 8:9–24 and Josephus (*Ant.* 12.138–144) are not conclusive.

33. Grätz, *Das Edikt*, 181.

Persian ‘euergetism,’ an institution to which Ezra 7:12–26 could be a witness, as a donation of Persian provenance?”³⁴

However, his search for parallels could only be valid if Ezra 7:12–26 indeed constitutes a royal endowment, as Grätz maintains. Exactly this point is disputable. Furthermore, it is astonishing that Grätz does not accord the Cyrus Cylinder, the Udjahorresnet naophoros, or the edict by Cyrus in Ezra 6 (cf. Ezra 1:1–3) any relevance as possible analogies. This oversight creates the impression that his argumentation involves a *petitio principii*.³⁵ Even if Grätz is right that Ezra 7 is a Hellenistic text, it still might be possible that Ezra 7 refers to known Persian processes of imperial authorization, processes that could be transferred on a literary level in the introduction of the Torah in Judah.

Therefore Ezra 7 may or may not be a Hellenistic text, and the letter of Artaxerxes may or may not be a fiction, but this still does not present a conclusive argument against the suggestion that Ezra 7 may reflect Persian period institutions. For example, we know today that Josephus faked the documents he provides in the books 14–16 of his *Antiquities*. However, they contain historically reliable information.³⁶ Therefore, even if Grätz’s dating and interpretation of Ezra 7 were correct, this

34. Grätz, *Das Edikt*, 215.

35. Grätz states that the Cyrus Cylinder is not a “specific witness to Achaemenid policy” [“typisches Zeugnis achämenidischer Politik”]. Instead, he argues as follows: “[Cyrus] used, as did Ashurbanipal before him, crucial motifs of [Neo-] Babylonian royal ideology in order to gain approval especially from the Marduk priesthood of Esagila” (“[Kyros hat sich] wie bereits Assurbanipal wesentlicher Motive [neu]babylonischer Königsideologie bedient, um die Anerkennung v.a. der Marduk-Priesterschaft von Esagila zu erlangen”) (Grätz, *Das Edikt*, 222–23). In relation to the Udjahorresnet naophoros, Grätz remarks, “In the Udjahorresnet inscription ... Cambyses acts foremost as Egyptian pharaoh and not as the Persian king. Therefore, a peculiar promotion of foreign cults as a specific consequence of Persian royal ideology cannot be proven” (“Kambyses agiert in der Udjahorresnet-Inschrift ... zunächst als ägyptischer Pharao und nicht als persischer König, so dass sich eine besondere Förderung fremder Kulte als Folge der spezifisch persische [sic] Königsideologie nicht nachweisen lässt”) (Grätz, *Das Edikt*, 233).

36. See, e.g., Baltrusch, *Die Juden*, 94, 96 n. 47, 109 n. 123. Cf., however, Grätz, *Das Edikt*, 164 n. 540, with reference to Bernd Schröder, *Die ‘väterlichen Gesetze’: Flavius Josephus als Vermittler von Halachah an Griechen und Römer*, TSAJ 53 (Tübingen: Mohr, 1996).

would not provide a cogent argument against the institution of Persian imperial authorization.³⁷

11.3. The Imperial Authorization of the Torah as a Historical Problem and as a Biblical Construct

If we should, or better, if we must assume processes whereby local norms were authorized by the Persian Empire—however these processes are identified and determined in detail—then we are now faced with the question of the degree to which the formation of the Torah must be connected with these processes.

Several possibilities can be imagined in this regard. Aside from the simple question most often debated in current scholarship of whether the formation of the Torah (or a literary precursor) should be connected historically with the process of an imperial authorization, we should also discuss whether the Hebrew Bible, most explicitly Ezra 7, interprets the legal implementation of the Torah according to the understood model of Persian imperial authorization.

The first possibility is quite disputed. To be sure, Frei himself never proposes that the formation of the Torah should be explained by the theory of imperial authorization. This is one of the most important differences between Frei and Blum. Blum is most explicit on this issue when he places the decisive steps in the composition of the Pentateuch within the context of Persian policies. He postulates two main compositional layers in the Torah, a “Deuteronomistic” (KD) and a “Priestly” (KP) one.³⁸ The compositional activities behind these two layers each led to the establishment of a proto-Pentateuch in the early Achaemenid period. Part of the motivation behind these activities was, according to Blum, the require-

37. This argument is also valid regarding Lester L. Grabbe, “The Law of Moses in the Ezra Tradition: More Virtual than Real?,” in Watts, *Persia and Torah*, 92–94.

38. See Erhard Blum, *Die Komposition der Vätergeschichte*, WMANT 57 (Neukirchen-Vluyn: Neukirchener Verlag, 1984) and his *Komposition des Pentateuch*. In these works, KD and KP both comprise a literary scope from Genesis to Deuteronomy. Blum now limits KD to Exodus–Deuteronomy; see his article, “Die literarische Verbindung von Erzvätern und Exodus: Ein Gespräch mit neueren Endredaktionshypothesen,” in *Abschied vom Jahwisten: Die Komposition des Hexateuch in der jüngsten Diskussion*, ed. Jan C. Gertz, Konrad Schmid, and Markus Witte, BZAW 315 (Berlin: de Gruyter, 2002), 119–56.

ments of Achaemenid politics: “(KD and) KP [were] also formed, among other things, within the perspective of ‘imperial authorization.’”³⁹

This is especially true for the inclusion of KP, the Priestly compositional layer in the Torah. Blum maintains that without some external trigger, the process that led to the integration of these two compositional layers into a single Torah could never have taken place of its own accord. In their theological orientations, after all, the two compositional layers relate to each other like fire and ice. I basically agree with Blum’s assertion of a “discontinuous composition” that characterizes the combination of Deuteronomistic and Priestly material on a textual level. The different perspective of these texts is so obvious that it has been almost universally recognized even within the widely diffuse state of current pentateuchal research.

The argument, however, is not conclusive when it comes to its position regarding the lack of analogies for the composition of the Pentateuch out of theologically divergent material. Although other areas of the Old Testament also combine diametrically opposed positions, this has not led biblical scholars to conclude that the combination could only have occurred as a result of external pressure. Some passages from the prophetic books provide especially clear examples of this. The process of innerbiblical reinterpretation often leads to theologically conflicting statements. Certain “*golah*-oriented” texts in the book of Jeremiah (e.g., Jer 24:8–10 or 29:16–19) announce the dispersion to all regions of the world of those parts of Judah’s and Jerusalem’s population that were not deported to Babylon in 597 BCE.⁴⁰ These texts focus on the primacy of the Babylonian *golah* originating from the 597 BCE deportation. However, there is

39. Blum, *Komposition des Pentateuch*, 358: “(KD und) KP [wurde] unter anderem auch unter der Perspektive der ‘Reichsautorisation’ gestaltet” (parentheses original; brackets added). Similarly, 360 and n. 96 there. See also Blum, “Esra,” 235–46.

40. See Konrad Schmid, *Buchgestalten des Jeremiabuches: Untersuchungen zur Redaktions- und Rezeptionsgeschichte von Jer 30–33 im Kontext des Buches*, WMANT 72 (Neukirchen-Vluyn: Neukirchener Verlag, 1996), 253–67. The terms *golah orientation* and *diaspora orientation* were introduced by Karl-Friedrich Pohlmann. See Pohlmann, *Studien zum Jeremiabuch*, FRLANT 118 (Göttingen: Vandenhoeck & Ruprecht, 1978); and Pohlmann, *Ezechielstudien: Zur Redaktionsgeschichte des Buches und zur Frage nach den ältesten Texten*, BZAW 202 (Berlin: de Gruyter, 1992). See also the acceptance of this distinction by Christoph Levin, *Die Verheissung des neuen Bundes: In ihrem theologiegeschichtlichen Zusammenhang ausgelegt*, FRLANT 137 (Göttingen: Vandenhoeck & Ruprecht, 1985).

another set of “diaspora-oriented” texts in the book of Jeremiah, including 23:7–8 and 29:14, that disavow such judgment texts and envisage the return of the whole diaspora to Israel’s homeland.⁴¹ They argue against the exclusive primacy of the Babylonian *golah*. Instead, they focus on the worldwide diaspora as a whole as the legitimate “Israel.” Therefore, the combination of conflicting or opposing concepts within the Torah did not need to occur on the basis of external pressure. It might be explained with the help of the theory of Persian imperial authorization, but there is no need to do so.

Another problem is the formation of the Pentateuch as Torah. Why have these five books been transformed into a self-contained canonical entity? Here it might be helpful to at least discuss a certain influence from outside to understand why Genesis to Deuteronomy have been segregated as Torah from the larger context of the narrative books reaching from Genesis to Kings.⁴² Scholars who deny such an influence need to propose an alternative explanation.

A more specific problem lies in the question of how to explain the adoption of the Pentateuch as the Torah by the Samaritans. Did the Samaritans take over a Torah that the Judeans had already accepted as a normative text? Or should one think instead of a parallel process in Samaria that led to the adoption of the Torah as a normative text there? If things are complicated for the case of Judah, this is all the more true for Samaria, as historical data for this community and its textual basis in ancient times are hard to determine. Scholars have traditionally postulated a schism between Judeans and Samaritans in the Persian or early Hellenistic period, claiming the introduction of the Torah in Judah as a *terminus a quo* for this schism that was followed by a final split in the period of the Hasmonaeans or even later.⁴³ More recent research tends to

41. See Schmid, *Buchgestalten*, 270–74.

42. For discussion of some problems of the formation of the Torah, its theological shape, and its historical circumstances, see my *Erzväter und Exodus*, 290–301. See also Schmid, “Der Pentateuchredaktor: Beobachtungen zum theologischen Profil des Toraschlusses in Dtn 34,” in *Les dernières rédactions du Pentateuque, de l’Hexateuque et de l’Ennéateuque*, ed. Thomas Römer and Konrad Schmid, BETL 203 (Leuven: Leuven University Press, 2006) 183–97; and Schmid, “The Late Persian Formation of the Torah: Observations on Deuteronomy 34,” §10 in the present volume; repr. from *Judah and the Judeans in the Fourth Century B.C.E.*, ed. Oded Lipschits, Gary Knoppers, and Rainer Albertz (Winona Lake, IN: Eisenbrauns, 2007), 236–45.

43. See the discussion in Ingrid Hjelm, “What Do Samaritans and Jews Have in

avoid the schism terminology because this presumes a former unity. On a related note, the archeological evaluation of the excavations on Mount Gerizim in search of a Samaritan temple or cult place seem to have radically changed in the last few years. In the early 1990s, Itzhak Magen stated that there were no remnants discernible on Mount Gerizim that antedate the second century BCE.⁴⁴ Now he claims that the origins of the cult place on Mount Gerizim must be dated as early as the sixth century BCE.⁴⁵ Given these recent changes in scholarship, it is no longer possible to adhere to a simple schism theory of Samaritan origins. This has repercussions for the determination the Samaritans' introduction of the Torah. At any rate, further treatments of the promulgation of the Torah in Judah cannot proceed *etsi Samaria non daretur*.

Be this as it may, for the Ezra narratives—especially in Ezra 7–10 but also in Neh 8—one point is clear: the logic of the story aims at presenting Ezra's law as a document equipped with the authority of the Persian Empire.⁴⁶ This provides the basis for Meyer and Schaefer to formulate the institution of Persian imperial authorization.⁴⁷ Therefore, it is necessary to explain why it is that Ezra 7 can argue in this way. Here again, several possibilities must be considered: (1) Ezra 7 correctly reports the imperial authorization of the Torah; (2) Ezra 7 is a late text, but still correctly reports the imperial authorization of the Torah; or (3) Ezra 7 is a late text, and presents the imperial authorization of the Torah as fiction. Which option is the right one? For the moment, it is impossible to determine.⁴⁸

Common? Recent Trends in Samaritan Studies," *CurBR* 3 (2004): 14. See also Alan D. Crown and Reinhard Pummer, *A Bibliography of the Samaritans* (Lanham, MD: Scarecrow, 2005).

44. See Ephraim Stern and Yitzhaq Magen, "Archaeological Evidence for the First Stage of the Samaritan Temple on Mount Gerizim," *IEJ* 52 (2002): 49–57.

45. Hjelm, "Samaritans," 19–20. See the report in the e-newsletter, "The Samaritan Update," <https://tinyurl.com/SBL2646e>.

46. See Kratz, *Translatio imperii*, 233–41 (esp. 236); Grabbe, "Law of Moses in the Ezra Tradition." On Rolf Rendtorff, "Esra und das 'Gesetz,'" *ZAW* 96 (1984): 165–84, see Kratz, *Translatio imperii*, 238 n. 380, and Rendtorff's own clarifications in "Noch einmal: Esra und das 'Gesetz,'" *ZAW* 111 (1999): 89–91. See also Bob Becking, "The Idea of Torah in Ezra 7–10: A Functional Analysis," *ZABR* 7 (2001): 273–86; Willi, *Juda–Jehud–Israel*, 90–91.

47. See the quotation from Meyer, *Die Entstehung des Judenthums*, given above at n. 5. See also Hans Heinrich Schaefer, *Das persische Weltreich* (Breslau: Korn, 1941).

48. Especially problematic for the option of a "historical" imperial authorization

However, it must be stressed again that Ezra 7 assumes the imperial authorization of the Torah, whether this account is historically true or not.⁴⁹

11.4. Conclusions

What conclusions can be drawn from this discussion? If the theory of Persian imperial authorization is evaluated apart from its reduction by its critics, then it becomes clear that mere rejection is too simple an option. The sources clearly witness to varying processes of authorization of local norms by the Persian authorities. Such processes of authorization do not imply the creation and maintenance of a central archive for authorized norms, the personal involvement of the Persian king in each act of authorization, or the necessary initiation of such a process by the Persians. Still, this does not mean that little remains of the theory—we must continue to emphasize the fact that no analogy exists in the ancient Near East for the central Persian government lending its authority to local norms.

of the Torah could be the fact that the Torah, at least in its main parts in Exod 19 to Num 10, is presented as God's law: "As the authors of the Pentateuch deployed YHWH as the legal source for the Torah from Sinai that is authoritative for 'Israel' as divine law ... they opposed the claim of the Achaemenid Great King to promulgate decrees to the world in the name of the Persian Great God as the creator God" ("Indem die Autoren des Pentateuch JHWH zur Rechtsquelle der für 'Israel' als Gottesgesetz verbindlichen Sinaitora einsetzen ... widersprechen sie dem Anspruch des achämenidischen Grosskönigs, Dekrete im Namen des persischen Grossen Gottes als Schöpfergottes in der Welt zu verkünden" (Otto, "Rechtshermeneutik," 105–6). Nevertheless, according to the priestly notion, it is clear that "God" in the Pentateuch is an inclusive concept; see Konrad Schmid, "Differenzierungen und Konzeptualisierungen der Einheit Gottes in der Religions- und Literaturgeschichte Israels: Methodische, religionsgeschichtliche und exegetische Aspekte zur neueren Diskussion um den sogenannten 'Monotheismus' im antiken Israel," in *Der eine Gott und die Götter: Polytheismus und Monotheismus im antiken Israel*, ed. Manfred Oeming and Konrad Schmid, ATANT 82 (Zurich: TVZ, 2003), 11–38. Therefore, from this perspective, "Elohim" can be understood as an inclusive cipher for Ahura Mazda, Zeus, or YHWH. Israel, according to its own tradition, follows "God's" own law which is, however, mediated by its Mosaic interpretation in Deuteronomy.

49. Here, I cannot discuss the problem of possible different layers in Ezra 7, as, e.g., Pakkala suggests (see *Ezra the Scribe*, 301–09). Pakkala's proposal might lead to different perceptions of the Torah in different stages of the literary development of Ezra 7. Pakkala holds the Artaxerxes rescript to be a (multilayered) redactional expansion of Ezra 1–6 (45–49; 297), but he does not preclude the possibility that it reworked authentic material.

How the formation of the Torah should be connected with such processes of authorization currently remains an open question. It is unlikely that this formation had nothing to do with these processes. This basic assumption is made clear by the Artaxerxes decree in Ezra 7, completely independent of whether the text is authentic or not, or whether it is Persian or Hellenistic. Ezra 7 shows us that the author of this text was familiar with processes of authorizing local norms and that he described Ezra's presentation of the Torah to his readers in this context. It is also important to recall the difficulties that arise if the theory is cast aside altogether: Why did the closure of the Pentateuch occur, to a large degree, during the Persian era? Better theories must be brought forward to explain how the Pentateuch could have gained the status of the Torah. The statement that the Torah is a product of Jewish scribal scholarship will not suffice, for this is true of the entire Hebrew Bible.

How to Identify a Persian-Period Text in the Pentateuch

The topic of this article pertains to the problems of dating biblical texts. As is well known, this area is contested and hotly debated in biblical studies, and it is very hard to rely on any kind of consensus.¹ For some scholars, the Pentateuch does not include any Persian-period texts but was already (basically) complete in the early sixth century.² For others, the Pentateuch is basically a product of the Persian or even Hellenistic period.³ The very fact that such highly divergent positions are maintained by serious scholars shows that there is no way of proving a Persian date for specific pentateuchal texts. We can only assess the likelihood of competing theories. However, the importance of this assessment should not be underestimated.

1. See, e.g., Odil H. Steck, *Old Testament Exegesis: A Guide to the Methodology*, 2nd ed., trans. James D. Nogalski, RBS 39 (Atlanta: Scholars Press, 1998), 143–50. More recent contributions to the discussion of linguistic dating include Dong-Hyuk Kim, *Early Biblical Hebrew, Late Biblical Hebrew, and Linguistic Variability: A Sociolinguistic Evaluation of the Linguistic Dating of Biblical Texts*, VTSup 156 (Leiden: Brill, 2013); Cynthia Miller-Naudé and Ziony Zevit, eds., *Diachrony in Biblical Hebrew*, LSAWS 8 (Winona Lake, IN: Eisenbrauns, 2012); Aaron Hornkohl, “Biblical Hebrew: Periodization,” *EHL* 1:315–25; Robert Rezetko and Ian Young, *Historical Linguistics and Biblical Hebrew: Steps toward an Integrated Approach*, ANEM 9 (Atlanta: SBL Press, 2014).

2. See, e.g., Israel Knohl, *The Sanctuary of Silence* (Minneapolis: Fortress, 1995); Jeffrey Stackert, *A Prophet Like Moses: Prophecy, Law, and Israelite Religion* (New York: Oxford University Press, 2014), 31–35.

3. See the discussion, e.g., in Konrad Schmid, “Der Abschluss der Tora als exegetisches und historisches Problem,” in *Schriftgelehrte Traditionsliteratur: Fallstudien zur innerbiblischen Schriftauslegung im Alten Testament*, FAT 77 (Tübingen: Mohr Siebeck, 2011), 159–84; Thomas Römer, “Der Pentateuch,” in *Die Entstehung des Alten Testaments*, ed. Rudolf Smend et al., ThW 1.1 (Stuttgart: Kohlhammer, 2014), 53–110.

In 2013 and 2014, two conferences in Jerusalem regarding the composition and dating of the Pentateuch took place.⁴ It became abundantly clear that the divergences in global pentateuchal scholarship are far greater than the convergences. Scholars employ different methodologies for approaching the history of the Pentateuch, but in order to make progress that has a chance of moving the field forward, one must go back to the basics.

Recently, Benjamin Sommer expressed a general reservation about the possibility of dating pentateuchal texts by means of their ideological profile:

In this article I make a very simple point concerning the dating of texts. It is odd that one needs to make this point; yet it does need to be made, because it pertains to a practice that is as common within biblical studies as it is specious. Scholars in our field frequently support a speculative dating of a text by asserting that, since the text's ideas match a particular time period especially well, the text was most likely composed then.... According to this approach, a scholar ascertains the themes of a passage, then thinks about when that theme would be relevant, crucial, or meaningful to ancient Israelites, then dates the text to that time-period. It should be immediately clear that this method of dating holds no validity whatsoever.⁵

It is clear that this argument includes some rhetorical flourish: “no validity whatsoever” is quite harsh. While there are abuses of the argument Sommer describes, this does not in principle preclude the possibility of dating texts based on their congruency with developments in the intellectual history of ancient Israel, which nowadays—to be sure—are not only based on reconstructions from the Bible itself. Therefore, the situation is not as hopeless as Sommer suggests, and it is indeed possible, with all due caution, to determine a few guidelines.

4. See Jan C. Gertz et al., eds., *The Formation of the Pentateuch: Bridging the Academic Cultures between Europe, Israel, and North America*, FAT 111 (Tübingen: Mohr Siebeck, 2016).

5. Benjamin D. Sommer, “Dating Pentateuchal Texts and the Perils of Pseudo-Historicism,” in *The Pentateuch: International Perspectives on Current Research*, ed. Thomas B. Dozeman, Konrad Schmid, and Baruch J. Schwartz, FAT 78 (Tübingen: Mohr Siebeck, 2011), 85.

12.1. The Pentateuch as a Pre-Hellenistic Text

To start with, there is some evidence to argue that the Pentateuch is basically a pre-Hellenistic text. For most scholars this is well accepted, but in the overall landscape of biblical studies, it is not.⁶ The three most important arguments for establishing the Hellenistic period as a *terminus ante quem* for the Pentateuch are the following.

First, the Septuagint translation of the five books of the Pentateuch (done by at least five different translators) can be dated to the mid-third century BCE,⁷ a conclusion we reach in view of its Greek, which resembles that of the Zenon papyri, and in view of the links and commonalities especially with Demetrios.⁸ There are some differences, especially in the

6. See, e.g., Niels P. Lemche, "The Old Testament—A Hellenistic Book?" *SJOT* 7 (1993): 163–93; repr. in *Did Moses Speak Attic? Jewish Historiography and Scripture in the Hellenistic Period*, ed. Lester L. Grabbe, JSOTSup 317 (Sheffield: Sheffield Academic, 2001), 287–318.

7. See, e.g., Folker Siegert, *Zwischen Hebräischer Bibel und Altem Testament: Eine Einführung in die Septuaginta*, Münsteraner judaistische Studien 9 (Münster: LIT, 2001), 42–43; Manfred Görg, "Die Septuaginta im Kontext spätägyptischer Kultur: Beispiele lokaler Inspiration bei der Übersetzungsarbeit am Pentateuch," in *Im Brennpunkt: Die Septuaginta; Studien zur Entstehung und Bedeutung der Griechischen Bibel*, ed. Heinz-Josef Fabry and Ulrich Offerhaus, BWANT 153 (Stuttgart: Kohlhammer, 2001), 115–30; Siegfried Kreuzer, "Entstehung und Entwicklung der Septuaginta im Kontext alexandrinischer und frühjüdischer Kultur und Bildung," in *Septuaginta Deutsch: Erläuterungen und Kommentare zum griechischen Alten Testament*, ed. Martin Karrer and Wolfgang Kraus (Stuttgart: Deutsche Bibelgesellschaft, 2011), 3–39; Stefan Krauter, "Die Pentateuch-Septuaginta als Übersetzung in der Literaturgeschichte der Antike," in *Die Septuaginta und das frühe Christentum/The Septuagint and Christian Origins*, ed. Thomas Scott Caulley and Hermann Lichtenberger, WUNT 277 (Tübingen: Mohr Siebeck, 2011), 26–46; Felix Albrecht, "Die alexandrinische Bibelübersetzung: Einsichten zur Entstehungs-, Überlieferungs- und Wirkungsgeschichte der Septuaginta," in *Alexandria*, ed. Tobias Georges, Felix Albrecht, and Reinhard Feldmeier, *Civitas orbis Mediterranei studia* 1 (Tübingen: Mohr Siebeck, 2013), 209–43.

8. The oldest manuscript of the Greek Pentateuch is Papyrus Rylands 458, dating to the mid-second-century BCE, see John W. Wevers, "The Earliest Witness to the LXX Deuteronomy," *CBQ* 39 (1977): 240–44; Kristin De Troyer, "When Did the Pentateuch Come into Existence? An Uncomfortable Perspective," in *Die Septuaginta: Texte, Kontexte, Lebenswelten, Internationale Fachtagung veranstaltet von Septuaginta Deutsch (LXX.D), Wuppertal 20.-23. Juli 2006*, ed. Martin Karrer and Wolfgang Kraus, WUNT 219 (Tübingen, Mohr Siebeck, 2008), 277; Gilles Dorival, "Les origines de la Septante: La traduction en grec des cinq livres de la Torah," in *La Bible grecque de*

second tabernacle account in Exod 35–40,⁹ but the Septuagint basically attests to the completed Pentateuch.

Second, the books of Chronicles and Ezra–Nehemiah allude and refer to the Torah of YHWH or the Torah of Moses. Although it is not fully clear whether the textual body envisioned here is the Pentateuch as we know it, the references point in that direction.¹⁰

Third, unlike some texts in the prophetic corpus (e.g., Isa 34:2–4),¹¹ the Pentateuch does not imply the transience of heaven and earth. Heaven and earth are stable entities: in other words, the world will remain as it is forever. This major conceptual difference is best explained by assuming that the Pentateuch basically reflects the stable world order of the Persian period, whereas the prophets include historical experiences of the fall of that order and the political turmoil of the Hellenistic period.¹²

There are, however, a few exceptions in the Pentateuch that seem to belong to the Hellenistic period. For instance, Num 24:14–24 mentions in verse 24 the victory of the ships of the כְּתִים over Ashur and Eber. This could be an allusion to the battles between Alexander and the Persians. If this is correct, it would point to a Hellenistic date of that passage.¹³ The specific ages of the ancestors in the genealogies of Gen 5 and 11 configure the overall

Septante: Du judaïsme hellénistique au christianisme ancien, ed. Gilles Dorival, Olivier Munnich, and Marguerite Harl (Paris: Cerf, 1988), 39–82.

9. See, e.g., John W. Wevers, “The Building of the Tabernacle,” *JNSL* 19 (1993): 123–31.

10. See Federico García López, “תּוֹרָה,” *TDOT* 15:609–46, esp. 634–40; Georg Steins, “Torabindung und Kanonabschluss: Zur Entstehung und kanonischen Funktion der Chronikbücher,” in *Die Tora als Kanon für Juden und Christen*, ed. Erich Zenger, HBS 10 (Freiburg im Breisgau: Herder, 1996), 213–56.

11. See Odil H. Steck, *Bereitete Heimkehr: Jesaja 35 als redaktionelle Brücke zwischen dem Ersten und dem Zweiten Jesaja*, SBS 121 (Stuttgart: Katholisches Bibelwerk, 1985), 52–54; Willem A. M. Beuken, *Jesaja 28–39*, HThKAT (Freiburg im Breisgau: Herder, 2010), 300–27.

12. See Odil H. Steck, *Der Abschluss der Prophetie im Alten Testament: Ein Versuch zur Frage der Vorgeschichte des Kanons*, BThSt 17 (Neukirchen-Vluyn: Neukirchener Verlag, 1991), 80–83.

13. See Hedwige Rouillard, *La péricope de Balaam (Nombres 22–24): La prose et les “oracles,”* EBib NS 4 (Paris: Gabalda, 1985), 467; Frank Crüsemann, *Die Tora: Theologie und Sozialgeschichte des alttestamentlichen Gesetzes* (Munich: Kaiser, 1992), 403; Hans-Christoph Schmitt, “Der heidnische Mantiker als eschatologischer Jahweprophet: Zum Verständnis Bileams in der Endgestalt von Num 22–24,” in “Wer ist wie du, Herr, unter den Göttern?: Studien zur Theologie und Religionsgeschichte Israels”: Für

chronology of the Pentateuch and differ significantly in the various versions.¹⁴ Their outlook in the Masoretic Text could be the result of a very late revision, maybe even from the second century BCE. But these observations do not change the general picture: the vast majority of pentateuchal texts pre-date the Hellenistic period. To be sure, no comparable conclusive evidence indicates that the Pentateuch is also basically pre-Persian. This is, however, contested by the linguistic approach of the Pentateuch.

12.2. The Linguistic Approach to Dating the Pentateuch

In Sommer's above-mentioned article on the problems of dating pentateuchal texts, he is unwilling to accept dating on the basis of ideological or theological profiles, but at the end of his article, he is very sympathetic with methods of linguistic dating. He sees this method as the most promising—or even the only possible—approach for dating biblical texts, so we should have a look at this approach first.

Since the seminal work of Wilhelm Gesenius, the project of linguistic dating is based on differentiating between Classical Biblical Hebrew (CBH) and Late Biblical Hebrew (LBH).¹⁵ Classical Biblical Hebrew is usually seen as preexilic, Late Biblical Hebrew as postexilic.¹⁶

However, the debate about the conclusiveness of historical-linguistic arguments is only beginning. This is not the place to deal with this issue in a satisfactory way, but I would like to mention my main reservations about a too narrowly handled linguistic evaluation of the Pentateuch, which often coalesces with an overall preexilic dating.¹⁷

Otto Kaiser zum 70. Geburtstag, ed. Ingo Kottsieper et al. (Göttingen: Vandenhoeck & Ruprecht, 1994), 185.

14. See Jeremy Hughes, *Secrets of the Times: Myth and History in Biblical Chronology*, JSOTSup 66 (Sheffield: Sheffield Academic, 1990); see the reservations of Ronald Hendel, "A Hasmonean Edition of MT Genesis? The Implications of the Editions of the Chronology in Genesis 5," *HBAI* 1 (2012): 448–64, against a dating of the numbers in MT in the second century BCE.

15. Wilhelm Gesenius, *Geschichte der hebräischen Sprache und Schrift* (Leipzig: Vogel, 1815); See Stefan Schorch and Ernst-Joachim Waschke, eds., *Biblische Exegese und hebräische Lexikographie: Das "Hebräisch-deutsche Handwörterbuch" von Wilhelm Gesenius als Spiegel und Quelle alttestamentlicher und hebräischer Forschung, 200 Jahre nach seiner ersten Auflage*, BZAW 427 (Berlin: de Gruyter, 2013).

16. See above, n. 1.

17. See, e.g., Gary A. Rendsburg, "Pentateuch, Linguistic Layers in the," *EHL*

First, the fact that a text is written in Classical Biblical Hebrew and not in Late Biblical Hebrew informs us primarily about its theological perspective within the biblical tradition and not, or at least not directly, about its historical date. To oversimplify my case for a moment: CBH texts are mainly Torah-oriented, whereas LBH texts are not, at least not to the same extent.

Second, there is a significant gap in the external, nonbiblical corpora for Hebrew from the sixth to second centuries BCE: There are many inscriptions from that period, but they are in Aramaic, not in Hebrew. Therefore, we are not able to define a clear *terminus ante quem* for CBH from the external evidence. This *terminus ante quem* could be in the sixth century, but it could also be later.

Third, there is a basic asymmetry between the methods used by linguists to date CBH texts on the one hand and LBH texts on the other. Biblical texts written in CBH belong, according to them, to the timeframe of the eighth to sixth centuries because the external evidence dates to that period. The external evidence for LBH is mainly found in the texts from the Dead Sea from the second and first centuries BCE, but the biblical texts and books written in LBH, like Chronicles, Ezra, Nehemiah, Daniel, and Esther, are dated by linguists much earlier because they are, at least in part and for a variety of reasons, obviously older than the second or first century. Therefore, the arguments regarding LBH show at minimum that a multitude of arguments need to be considered when dating biblical texts, and what seems fair for LBH should also be accepted for CBH.

Fourth, an important argument by those who favor a generally pre-exilic date for the Pentateuch is the absence of Persian loanwords. We are told that if the Pentateuch were to contain texts from the Persian period, then Persian loanwords would be expected in the texts. There are not any such loanwords. How significant is this?¹⁸ Apparently this argument is very strong. To begin with, there are very few Persian loanwords in the

2:63: "In sum, the main body of the Torah is written in Standard Biblical Hebrew, which represents the language of Judah during the monarchy (both early and late). A few chapters employ the technique known as style-switching, in order to create an Aramean environment. Some poems within the prose text reflect an older stratum of Hebrew and may hark back to a poetic epic tradition. And a few passages, especially those concerning the northern tribes, contain elements of Israelian Hebrew. Most importantly, there are no indications of Late Biblical Hebrew in the Pentateuch."

18. Mats Eskhult, "The Importance of Loanwords for Dating Biblical Hebrew Texts," in *Biblical Hebrew: Studies in Chronology and Typology*, ed. Ian Young, JSOT-Sup 369 (London: T&T Clark, 2003), 8–23.

Hebrew Bible as a whole.¹⁹ Admittedly, no Persian loanword can be found in the Pentateuch, but why should we expect the case to be otherwise? It is necessary here to recall the specific narrative setting of the Pentateuch. The Pentateuch basically plays out in the second millennium BCE, in the period before David, Solomon, the Assyrians, the Babylonians, and, of course, the Persians. The fact that the Pentateuch itself is aware of this historicized scenery is most clearly evident from the fact that the Pentateuch refrains from mentioning Jerusalem, especially in Gen 14; 22;²⁰ and in Deuteronomy. Therefore, Persian loanwords are not to be expected. The Pentateuch employs a language corresponding to its narrative setting.

A fifth argument by Hebraists for an early (i.e., preexilic) dating of CBH texts is the idea that it was impossible to reproduce real CBH in later times without slip-ups. The problem with this argument is a very fundamental methodological one: It is a priori and therefore not falsifiable: If a biblical text is written in clear and flawless CBH, then it is by definition preexilic because otherwise it would not be in correct CBH. In such an argument, the possibility of a late text in correct CBH is excluded as impossible from the outset. It therefore just begs the question, if CBH is determined as being copy-safe.²¹ Of course, languages evolve over time, but in a learned elite idiom like CBH, a certain degree of inertness is likely.

In concord with other methods, the validity of a linguistic approach to dating the Pentateuch should not be denied, but it is necessary to caution against using linguistic dating alone for dating issues. It should be employed in conjunction with other data and perspectives, such as theological profiles, intertextual links, as well as geographical and

19. See, e.g., אֲדָרְכָן, “Daric” (Ezra 8:27; 1 Chr 29:7); אֲחֻשְׁדֶּרְפָּנִים, “satraps” (e.g., Esth 8:9); גִּזְבָּר, “treasurer” (Ezra 1:8); גִּזְזִים, “treasury” (e.g., Est 3:9); גִּזְזִי, “treasury” (1 Chron 28:11); דָּת, “command, decree” (e.g., Est 1:13); פֶּתֶק, “edict, sentence” (Qoh 8:11; Est 1:20); פֶּתֶשֶׁן, “copy” (e.g., Est 3:14), see Avi Hurvitz, “Biblical Hebrew, Late,” *EHL* 1:331.

20. See Klaus Baltzer, “Jerusalem in den Erzväter-Geschichten der Genesis? Traditionsgeschichtliche Erwägungen zu Gen 14 und 22,” in *Die Hebräische Bibel und ihre zweifache Nachgeschichte: Festschrift für Rolf Rendtorff zum 65. Geburtstag*, ed. Erhard Blum, Christian Macholz, and Ekkehard W. Stegemann (Neukirchen-Vluyn: Neukirchener Verlag, 1990), 3–12.

21. For more detail, see Erhard Blum, “The Linguistic Dating of Biblical Texts: An Approach with Methodological Limitations,” in Gertz et al., *Formation of the Pentateuch*, 303–26, esp. 312.

archaeological information.²² The general problem in this discussion is that there is insufficient interaction between Hebraists and biblical scholars and that different, even conflicting, methods and results about how to date pentateuchal texts end up somewhat insulated from each other.

12.3. Observations from Historical Geography and the History of Religion

When accounting for some very basic observations about the geographical and religious shape of the Pentateuch, the odds of an overall preexilic date are slim. To be sure, for a variety of reasons the Pentateuch is likely to include a significant amount of literary material that goes back to the ninth through the seventh century BCE, especially in the realm of the patriarchal narratives.²³ In Gen 12–36, the texts seem to be multilayered, and even some of the later layers do not seem to presuppose the Deuteronomic centralization of the cult, for example, Jacob's vow in Bethel to tithe the tenth to the sanctuary of Bethel in Gen 28:22.²⁴

Some of the texts probably even emerge from a much older oral prehistory. But the overall organization and outlook of the Pentateuch seems to be a product of the exilic period at the earliest. Why? Let me first introduce a well-accepted methodological principle for a historical and critical approach to the Bible that was formulated some hundred years ago by Ernst Troeltsch, one of the champions of nineteenth- and early twentieth-

22. See Steck, *Old Testament Exegesis*, 143–50.

23. See, e.g., Erhard Blum, *Die Komposition der Vätergeschichte*, WMANT 57 (Neukirchen-Vluyn: Neukirchener Verlag, 1984), 66–203; Albert de Pury, “The Jacob Story and the Beginning of the Formation of the Pentateuch,” in *Die Patriarchen und die Priesterschrift: Les Patriarches et le document sacerdotal; Gesammelte Studien zu seinem 70. Geburtstag; Recueil d'articles, à l'occasion de son 70e anniversaire*, ATANT 99 (Zurich: TVZ, 2010), 147–69; Erhard Blum, “The Jacob Tradition,” in *The Book of Genesis: Composition, Reception, and Interpretation*, ed. Craig A. Evans, VTSup 152 (Leiden: Brill, 2012), 181–211; Albert de Pury, “Die Erzeltern Erzählungen,” in *Einleitung in das Alte Testament: Die Bücher der Hebräischen Bibel und die alttestamentlichen Schriften der katholischen, protestantischen und orthodoxen Kirchen*, ed. Thomas Römer, Jean-Daniel Macchi, and Christophe Nihan (Zurich: TVZ, 2013), 196–216; Israel Finkelstein, *The Forgotten Kingdom: Archaeology and History of Northern Israel*, ANEM 5 (Atlanta: Society of Biblical Literature, 2013), 141–44.

24. See Konrad Schmid, “The Pentateuch and Its Theological History,” ch. 9 in this volume.

eth-century historical scholarship.²⁵ Troeltsch basically claims that three methodological steps are required for assessing biblical texts historically: critique, analogy, and correlation. Indeed, if we evaluate pentateuchal texts critically, if we try to find analogies to them, and if we correlate these findings to each other, then I expect we will reach some basic conclusions.

One example from historical geography and one from the history of religion must suffice for providing a general guideline. Both are fundamental in nature, and in European scholarship they are basically uncontested, but they seem to be unacceptable for scholars who stress the intellectual and historical singularity of the Pentateuch.

First, it is conspicuous in terms of geography that the Pentateuch's storyline unfolds largely outside of Israel—a point that holds true not only for Exodus through Deuteronomy but also for Gen 1–11 and parts of Gen 37–50. The fact that Gen 12–36 is an exception in this regard demonstrates again the specific nature of that narrative complex, which, as mentioned above, probably contains the earliest textual material in the Pentateuch.²⁶

Of course, the traditional explanation of its mainly allochthonous character was that the Pentateuch, especially the exodus story, reworks ancient memories of Israel's journey out of Egypt.²⁷ This explanation is probably true to a certain extent, but the large number of texts allotted to that period, especially all of the legal material, is very striking. The Pentateuch reports the delivery of the legal basis of Israel at Mount Sinai, in the middle of nowhere between Egypt and Israel. Therefore, in agreement with David J. A. Clines, we can state that the Pentateuch is, in terms of the basic shape of its content, “an exilic work.”²⁸ This view can be corroborated with respect to Mount Sinai by looking at the traditions of a holy mountain in the preexilic portions of First Isaiah or the Psalms: Here, Mount Zion is Israel's holy mountain, not Mount Sinai. This is not to say that Mount Sinai is only an exilic invention intended to replace the destroyed Mount Zion, as, for example, Henrik Pfeiffer

25. Ernst Troeltsch, “Über historische und dogmatische Methode in der Theologie,” in vol. 2 of *Zur religiösen Lage, Religionsphilosophie und Ethik: Gesammelte Schriften* (Tübingen: Mohr, 1913), 728–53 (ET: <https://tinyurl.com/SBL2646a>).

26. See n. 24.

27. See Ronald Hendel, “The Exodus in Biblical Memory,” *JBL* 120 (2001): 601–22.

28. David J. A. Clines, *The Theme of the Pentateuch*, 2nd ed., JSOTSup 10 (Sheffield: Sheffield Academic, 1997), 103–4.

holds.²⁹ Maybe—even probably—there are older traditions about Mount Sinai in the Bible, but the extensive reworking of the Sinai tradition in the Pentateuch seems to be an exilic phenomenon at the earliest.

Second, there is a basic observation from the history of religion. The Pentateuch is a decidedly monotheistic text. It opens with an inclusive monotheistic text in Gen 1, and it argues broadly in an exclusive monotheistic fashion in the context of the Moses story.³⁰ There may be some older remnants such as Deut 32:8–9 (which I doubt),³¹ but this fact does not affect the overall picture. If we look for analogies outside the Pentateuch, then the following points are important: First, there is no epigraphic evidence for a fully developed monotheism in Israel in the monarchic period (to the contrary, cf. Kunttillet 'Ajrud).³² We see instead that YHWH is the God of Israel and Judah as Chemosh is for Moab and as Qauš is for Edom. Second, the earliest attestations for a datable monotheistic position in the Bible can be found in Isa 45:1–7.³³

29. Pfeiffer, *Jahwes Kommen vom Süden: Jdc 5; Hab 3; Dtn 33 und Ps 68 in ihrem literatur- und theologiegeschichtlichen Umfeld*, FRLANT 211 (Göttingen: Vandenhoeck & Ruprecht, 2005); but see Martin Leuenberger, "Jhwhs Herkunft aus dem Süden: Archäologische Befunde—biblische Überlieferungen—historische Korrelationen," ZAW 122 (2010): 1–19.

30. See Konrad Schmid, "Differenzierungen und Konzeptualisierungen der Einheit Gottes in der Religions- und Literaturgeschichte Israels: Methodische, religionsgeschichtliche und exegetische Aspekte zur neueren Diskussion um den sogenannten 'Monotheismus' im antiken Israel," in *Der eine Gott und die Götter: Polytheismus und Monotheismus im antiken Israel*, ed. Manfred Oeming and Konrad Schmid, ATANT 82 (Zurich: TVZ, 2003), 11–38.

31. Konrad Schmid, "Are There Remnants of Hebrew Paganism in the Hebrew Bible? Methodological Reflections on the Basis of Deuteronomy 32:8–9 and Psalm 82," ch. 30 in this volume.

32. See Ze'ev Meshel, *Kunttillet 'Ajrud (Ḥorvat Teman): An Iron Age II Religious Site on the Judah-Sinai Border* (Jerusalem: Israel Exploration Society, 2012).

33. See, e.g., Fritz Stolz, *Einführung in den biblischen Monotheismus* (Darmstadt: Wissenschaftliche Buchgesellschaft, 1996); Manfred Weippert, "Synkretismus und Monotheismus: Religionsinterne Konfliktbewältigung im alten Israel," in *Jahwe und die anderen Götter: Studien zur Religionsgeschichte des antiken Israel in ihrem syrisch-palästinischen Kontext*, FAT 18 (Tübingen: Mohr Siebeck, 1997), 1–24; Erich Zenger, "Der Monotheismus Israels: Entstehung-Profil-Relevanz," in *Ist der Glaube Feind der Freiheit? Die neue Debatte um den Monotheismus*, ed. Thomas Söding, QD 196 (Freiburg im Breisgau: Herder, 2003), 9–52; Martin Leuenberger, "Ich bin Jhwh und keiner sonst": *Der exklusive Monotheismus des Kyros-Orakels Jes 45,1–7*, SBS 224 (Stuttgart, Katholisches Bibelwerk, 2010).

Biblical monotheism was not invented in the exilic period.³⁴ However, its developed outline in the Pentateuch seems to belong to this period rather than to an earlier one, at least if we employ Troeltsch's methodology of critique, analogy, and correlation.

Another important point is that a more traditional and earlier dating of pentateuchal texts also leads to a completely different reconstruction of Israel's intellectual history in the preexilic period. Israel then is not in continuity, but in discontinuity with all the neighboring temple cults, and the epigraphical evidence simply pertains to a deviant folk practice. Such a position relies on the Bible more than on a critical assessment of it. The Bible offers more than simply the historical and critical methodology put forth by Troeltsch, but a historical approach to the Pentateuch cannot do without Troeltsch.³⁵

12.4. The Date of the Priestly Code

The possible identification of Persian material in the Pentateuch depends above all on how one dates the so-called Priestly texts (in short: P). P is increasingly employed as a historically fixed point in reconstructions of the Pentateuch's composition. Therefore, if texts are identified as post-P, and P is early Persian, then this post-P material belongs at the earliest to the Persian period as well.

Astonishingly, there is no fundamental dispute about P and the texts that should be assigned to it³⁶ (besides the open question of its alleged

34. See Othmar Keel, *Die Geschichte Jerusalems und die Entstehung des Monotheismus*, 2 vols., Orte und Landschaften der Bibel 6.1 (Göttingen: Vandenhoeck & Ruprecht, 2007).

35. See n. 25.

36. See the standard text assignments by Karl Elliger, "Sinn und Ursprung der priesterlichen Geschichtserzählung," *ZTK* 49 (1952): 121–43; repr., *Kleine Schriften zum Alten Testament*, ed. Hartmut Gese and Otto Kaiser, TB 32 (Munich: Kaiser, 1966), 174–98; Norbert Lohfink, "Die Priesterschrift und die Geschichte," in *Congress Volume Göttingen 1977*, ed. John A. Emerton, VTSup 29 (Leiden: Brill, 1978), 183–225; repr., *Studien zum Pentateuch*, SBAB 4 (Stuttgart: Katholisches Bibelwerk, 1988), 213–53; Eckart Otto, "Forschungen zur Priesterschrift," *TRu* 62 (1997): 1–50. For a position against P as a source in Exodus see Christoph Berner, *Die Exoduserzählung: Das literarische Werden einer Ursprungserzählung Israels*, FAT 73 (Tübingen: Mohr Siebeck, 2010) (see, however, my review in *ZAW* 123 [2010]: 292–94); Rainer Albertz, *Exodus 1–18*, ZBK 2.1 (Zurich: TVZ, 2012), 10–26. Jakob Wöhrle, *Fremdlinge im eigenen Land: Zur Entstehung*

original end).³⁷ However, its date is unclear. Scholars who rely on linguistic arguments and who adhere to the classical paradigm of linguistic dating tend to date P in the preexilic period. Nevertheless, this conclusion is highly contested. Avi Hurvitz and Jacob Milgrom favor an early date on linguistic grounds, while Joseph Blenkinsopp and Baruch A. Levine, for instance, evaluate the evidence differently.³⁸

und Intention der priesterlichen Passagen der Vätergeschichte, FRLANT 246 (Göttingen: Vandenhoeck & Ruprecht, 2012), holds a similar position for Gen 12–50.

37. The debate regarding the original end of P arose especially in the wake of Lothar Perlitt, “Priesterschrift im Deuteronomium?,” ZAW 100 Suppl. (1988): 65–87; repr., *Deuteronomium-Studien*, FAT 8 (Tübingen: Mohr Siebeck, 1994), 123–43. Proposals include seeing the literary end at either Exod 29 (Otto, “Forschungen zur Priesterschrift”), Exod 40 (Thomas Pola, *Die ursprüngliche Priesterschrift: Beobachtungen zur Literarkritik und Traditionsgeschichte von Pg*, WMANT 70 [Neukirchen-Vluyn: Neukirchner Verlag, 1995]; Reinhard G. Kratz, *Die Komposition der erzählenden Bücher des Alten Testaments*, UTB 2157 [Göttingen: Vandenhoeck & Ruprecht, 2000], 102–17; Michaela Bauks, “La signification de l’espace et du temps dans l’historiographie sacerdotale,” in *The Future of the Deuteronomistic History*, ed. Thomas Römer, BETL 147 [Leuven: Peeters, 2000], 29–45), Lev 9 (Erich Zenger, “Priesterschrift,” TRE 27:435–46; Zenger, *Einleitung in das Alte Testament*, 5th ed., KStTh 1.1 [Stuttgart: Kohlhammer, 2004], 156–75), Lev 16 (Matthias Köckert, *Leben in Gottes Gegenwart: Studien zum Verständnis des Gesetzes im Alten Testament*, FAT 43 [Tübingen: Mohr Siebeck, 2004], 105; Christophe Nihan, *From Priestly Torah to Pentateuch: A Study in the Composition of the Book of Leviticus*, FAT 2/25 [Tübingen: Mohr Siebeck, 2006], 20–68) or Num 27 (Jean-Louis Ska, “Le récit sacerdotal: Une ‘histoire sans fin’?,” in *The Books of Leviticus and Numbers*, ed. Thomas Römer, BETL 215 [Leuven: Peeters, 2008], 631–653). A staggering of endings within the Priestly document between Exod 40 and Lev 26 is suggested by Jan C. Gertz, ed., *Grundinformation Altes Testament: Eine Einführung in Literatur, Religion und Geschichte des Alten Testaments*, 2nd ed., UTB 2745 (Göttingen: Vandenhoeck & Ruprecht, 2007), 236; Christian Frevel, *Mit Blick auf das Land die Schöpfung erinnern*, HBS 23 (Freiburg im Breisgau: Herder, 2000), supports the traditional conclusion in Deut 34 (see Ludwig Schmidt, *Studien zur Priesterschrift*, BZAW 214 [Berlin: de Gruyter, 1993], 271; Peter Weimar, *Studien zur Priesterschrift*, FAT 56 [Tübingen: Mohr Siebeck, 2008], 17). Joseph Blenkinsopp, “The Structure of P,” CBQ 38 (1976): 275–92; Lohfink, “Die Priesterschrift und die Geschichte”; Philippe Guillaume, *Land and Calendar: The Priestly Document from Genesis 1 to Joshua 18*, LHBOTS 391 (London: T&T Clark, 2009), see the conclusion of P⁸ in Joshua.

38. See Jacob Milgrom, “The Antiquity of the Priestly Source: A Reply to Joseph Blenkinsopp,” ZAW 111 (1999): 10–22; Avi Hurvitz, “Once Again: The Linguistic Profile of the Priestly Material in the Pentateuch and Its Historical Age: A Response to J. Blenkinsopp,” ZAW 112 (2000): 180–91; see Joseph Blenkinsopp, “An Assessment of the Alleged Pre-exilic Date of the Priestly Material in the Pentateuch,” ZAW

It is impossible to solve this problem here, especially in light of more recent discussions of P that have made clear, on the one hand, that we probably need to distinguish between the legal and narrative portions when dating P-texts and, on the other hand, that dating P cannot just mean pinning down one single point in history for these texts. The P material seems to have grown over some time.³⁹

Nevertheless, I would like to present some observations for why, first, the main narrative of P is not likely to predate the early Persian period and, second, that texts dependent on these portions of P may therefore be confidently assigned to the Persian period as well.

12.4.1. Linguistic Findings

The linguistic evidence for an early, that is, preexilic, date for P is anything but conclusive, as has been shown, first of all, by the general arguments mentioned above. In addition, there are some linguistic observations that—with all due caution—even support a Persian-period setting.

P is basically written in what is identified as CBH, but there are some linguistic features that do not match the picture.⁴⁰ Just to name the two most obvious examples, for the first-person singular pronoun, P usually employs אני instead of אנכי. This suggests that P is a transitional text between CBH and LBH. Another example is the word, רכוש “possession,” that is used by P, for instance, in Gen 12:5; 13:6, 46:6. It is otherwise only attested in Daniel, Ezra, Chronicles, the post-P parts of Numbers, and Gen 14 and 15. Another example of a LBH feature of the extended P material is the use of דגל, “banner,” in Num 1–10, which suggest a late date for these texts.

Given these elements, it is likely that P is to be situated toward the end of CBH, and, given the lack of external corpora from the sixth and fifth century for CBH, a date in the Neo-Babylonian or the Persian period is not excluded.

108 (1996): 495–518; Baruch A. Levine, *Numbers 1–20*, AB 4A (New York: Doubleday, 1993).

39. See Rolf Rendtorff, “Two Kinds of P? Some Reflections on the Occasion of the Publishing of Jacob Milgrom’s Commentary on Leviticus 1–16,” *JSOT* 60 (1993): 75–81; Reinhard G. Kratz, *Historisches und biblisches Israel: Drei Überblicke zum Alten Testament* (Tübingen: Mohr Siebeck, 2013), 162–63.

40. See the discussion in n. 38.

4.2. P and Ezekiel

The frequent comparison of P-texts with Ezekiel does not compete with such a conclusion. Texts from the book of Ezekiel do not center around a fixed point in the history of ancient Israel. They do not belong per se to the time of the historical prophet Ezekiel, as, for example, Moshe Greenberg held.⁴¹ On the contrary, the book of Ezekiel is a very complex literary entity that grew into its present form over some time.

The observable links between P and Ezekiel even hint that P was often on the receiving end of the literary connection. A very good example, to my mind, is the reception of Ezek 7 (in combination with Amos 8) in Gen 6:13, an undisputed P text. God's statement here that "the end has come" is very close to Ezek 7:2–3 and seems to allude to it, in order to demonstrate: Yes, there was an end of the world decreed by God, but this crisis has been resolved. It happened a very long time ago and has been settled by God once and for all. In order to interact subversively with the biblical prophecy of doom, P transformed Ezek 7 from a divine statement about the present into a primeval action, as Thomas Pola has pointed out again recently.⁴²

4.3. Cultural and Political Realities Reflected in P

Finally, there are some specific cultural and political realities reflected in P that corroborate an early Persian setting. The first element is the term מְכַנְסִים "trousers" mentioned in Exod 28:42; 39:28; Lev 6:3; 16:4; and Ezek 44:18. Relying especially on Peter Calmeyer, David Sperling has pointed out that trousers seem to be a Persian innovation in the ancient Near East.⁴³

41. See Moshe Greenberg, *Ezekiel 1–20*, AB 22A (New York: Doubleday, 1983); Greenberg, *Ezekiel 21–37*, AB 22B (New York: Doubleday, 1995).

42. Pola, "Back to the Future: The Twofold Priestly Concept of History," in *Torah and the Book of Numbers*, ed. Christian Frevel, Thomas Pola, and Aaron Schart, FAT 2/62 (Tübingen: Mohr Siebeck, 2013), 39–65; see also Rudolf Smend, "'Das Ende ist gekommen': Ein Amoswort in der Priesterschrift," in *Die Botschaft und die Boten: Festschrift für Hans Walter Wolff zum 70. Geburtstag*, ed. Jörg Jeremias and Lothar Perlitt (Neukirchen-Vluyn: Neukirchener Verlag, 1981), 67–74; repr., *Die Mitte des Alten Testaments: Exegetische Aufsätze* (Tübingen: Mohr Siebeck, 2002), 238–43; Jan C. Gertz, "Noah und die Propheten: Rezeption und Reformulierung eines altorientalischen Mythos," *Deutsche Vierteljahrsschrift für Literaturwissenschaft und Geistesgeschichte* 81 (2007): 503–22.

43. Peter Calmeyer, "Hose," *RIA* 4:472: "Fast bis zum Ende der altorientalischen

This point about trousers may seem trivial, but it is nevertheless noteworthy. Probably more conclusive is the evidence concerning P's political geography. In Gen 10, a general element is the pluralistic conception of the world as portrayed in the Table of Nations, which corresponds neither to Neo-Assyrian nor to Neo-Babylonian but rather to Persian imperial policy.⁴⁴

Another observation is the status of Egypt in P. P has an inclusive and pacifistic worldview with one single exception: Egypt. Especially the Egyptian army is the target of God's violence in Exod 14, where the army is drowned in the sea—a striking and exceptional element in P's narrative. According to Gen 9, God renounces violence, and there is no other instance in P akin to Exod 14, where God is portrayed as destructive. Why is this so? The victory over Egypt's army in Exod 14 is portrayed as God's means of establishing his כבוד “glory,” which later plays an important role in P but does not occur prior to Exod 14.⁴⁵ It appears that only after Egypt is defeated is God's glory ultimately established and present in the world. Albert de Pury suggests that this specific stance toward Egypt might reflect P's historical position in the early Persian period, prior to the Persian conquest of Egypt in 525 BCE by Cambyses.⁴⁶

Kultur ist die Hose ganz unbekannt geblieben; sie taucht erst in deren letzter Periode, der achaemenidischen, plötzlich und in vielerlei Varianten auf, und zwar ausschliesslich bei Völkern der nordwestlichen, nördlichen und nordöstlichen Randgebiete, die zum Teil erst jetzt in die Sphäre dieser Kultur geraten waren.” See S. David Sperling, “Pants, Persians and the Priestly Source,” in *Ki Baruch Hu: Ancient Near Eastern, Biblical, and Judaic Studies in Honor of Baruch A. Levine*, ed. Robert Chazan, William W. Hallo, and Lawrence H. Schiffman (Winona Lake, IN: Eisenbrauns, 2003), 373–85.

44. Jacobus G. Vink, “The Date and the Origin of the Priestly Code in the Old Testament,” in *The Priestly Code and Seven Other Studies*, ed. Jacobus G. Vink, OTS 52 (Leiden: Brill, 1969), 61; Albert de Pury, “Sem, Cham et Japhet: De la fraternité à l'esclavage?,” in *κορυφαίω ἀνδρί: Mélanges offerts à André Hurst*, ed. Antje Kolde, Alessandra Lukinovich, André-Louis Rey, *Recherches et rencontres* 22 (Geneva: Droz, 2005), 495–508; Ernst Axel Knauf, “Die Priesterschrift und die Geschichten der Deuteronomisten,” in Römer, *Future of the Deuteronomistic History*, 104–5; Nihan, *From Priestly Torah*, 383.

45. See Thomas Wagner, *Gottes Herrlichkeit: Bedeutung und Verwendung des Begriffs kâbôd im Alten Testament*, VTSup 151 (Leiden: Brill, 2012).

46. De Pury, “P^s as the Absolute Beginning,” in *Les dernières rédactions du Pentateuque, de l'Hexateuque et de l'Ennéateuque*, ed. Thomas Römer and Konrad Schmid,

Finally, a more concrete aspect in that respect is that the miracle at the sea plays out “in front of Ba’al Zaphon” in P (Exod 14:2). This denotes the sanctuary of Zeus Casios that is mentioned by Herodotus (2.6.158: 3.5). It is usually identified with *Ras Qasrun* on the sandbar of the *Sabakhet (Sabkhat) el Bardawil*. As early as 1990, Graham I. Davies noted that there are no relevant pre-Persian remnants at *Ras Qasrun*, an observation that supports a Persian setting for P’s exodus account.⁴⁷

12.5. The Date of the Holiness Code (Lev 17–26)

The so-called Holiness Code is also written in CBH, and for this reason some scholars attribute it to the monarchic period.⁴⁸ For a variety of reasons, this conclusion is untenable but will remain contested. Nevertheless, it is possible to establish a relative date with regard to P. H presupposes and reconceptualizes the theology of P.

Norbert Lohfink makes the best case for this position.⁴⁹

Gen 17:6–7

I will make you exceedingly fruitful; and I will make nations of you, and kings shall come from you. I will establish my covenant between me and you, and your offspring after you throughout their generations, for an everlasting covenant, to be God to you and to your offspring after you.

Lev 26:3, 9–13

If you follow my statutes and keep my commandments and observe them faithfully,... (9) I will look with favor upon you and make you fruitful and multiply you; and I will maintain my covenant with you.... *I will place my dwelling in your midst*, and I shall not abhor you. And *I will walk among you, and will be your God*, and you shall be my people.

BETL 203 (Leuven: Peeters, 2007), 99–128; repr., Macchi, Römer, and Schmid, *Die Patriarchen und die Priesterschrift*, 13–42.

47. Davies, “The Wilderness Itineraries and Recent Archaeological Research,” in *Studies in the Pentateuch*, ed. John A. Emerton, VTSup 41 (Leiden: Brill 1990), 161–75; See for the evidence Moshe Dothan, “Archaeological Survey of Mt. Casius and Its Vicinity” [Hebrew], *ErIsr* 9 (1969): 47–60.

48. Knohl, *Sanctuary of Silence*, 199–230.

49. Norbert Lohfink, “Die Abänderung der Theologie des priesterlichen Geschichtswerks im Segen des Heiligkeitgesetzes: Zu Lev. 26,9.11–13,” in *Studien zum Pentateuch*, 157–68.

I am YHWH your God who brought you out of the land of Egypt, to be their slaves no more; I have broken the bars of your yoke and made you walk erect.

Exod 6:4–7

I also established my covenant with them.... I will free you from the burdens of the Egyptians and deliver you from slavery to them. I will redeem you with an outstretched arm and with mighty acts of judgment. I will take you as my people, and I will be your God. You shall know that I am YHWH your God, who has freed you from the burdens of the Egyptians.

Exod 29:45–46

I will dwell among the Israelites, and I will be their God. And they shall know that I am YHWH their God, who brought them out of the land of Egypt *that I might dwell among them*; I am YHWH their God.

It is quite evident that Lev 26 takes up important concepts and wording from central—and antecedent—P texts, especially Gen 17 and Exod 6. Whereas the promises in P are unconditional, H introduces them with the protasis “If you follow my statutes and keep my commandments and observe them faithfully” (Lev 26:3), which is tantamount to Deuteronomizing the Priestly theology. H seems to presuppose both P and D and combines their ideologies.

This post-P setting for H enjoys consensus among those who allow for a P-H-distinction.⁵⁰ But if one dates P to the monarchic period, then it would be possible to do the same for H. However, as mentioned before, a preexilic date for P, especially its narrative framework, is difficult to maintain, meaning that a Persian-period setting is just as likely for H as it is for P.

At this point, a forgotten pioneer of post-P additions in the Pentateuch should be mentioned. In his 1862 book on Exod 35–40, Julius Popper identifies several late additions to the construction report of the tent of meeting. His method relies especially on comparing the different textual witnesses, such as the Septuagint and the Samaritan Pentateuch, with the Masoretic Text.⁵¹

50. Erhard Blum, *Studien zur Komposition des Pentateuch*, BZAW 189 (Berlin: de Gruyter 1990), 318–32 sees the material usually assigned to H as an integral part of P.

51. Julius Popper, *Der biblische Bericht über die Stiftshütte: Ein Beitrag zur Geschichte der Composition und Diaskeue des Pentateuch* (Leipzig: Hunger, 1862).

12.6. The Case of Genesis 24

One of the clearest cases of a Persian-period text in the Pentateuch, Gen 24, can be discussed here only briefly. It is a text that is difficult to link with a broader stratum or layer detectable elsewhere. In several publications, Alexander Rofé has made a case for this date, and a detailed analysis of the text can be found in his contributions.⁵²

The main arguments are as follows. First, Gen 24:3, 7 employ the title **אלהי השמים** for God (cf. LXX, which aligns 24:7 with 24:3). In the Hebrew Bible, this formula can be found elsewhere only in Jon 1:9; Ezra 1:2; Neh 1:4–5; 2:4, 20; and 2 Chr 36:23; all these texts probably belong to the Persian period. In Aramaic, the title **אלה שמיא** is employed in Dan 2:18, 19, 37, 44; Ezra 5:(11,)12; 6:9–10; 7:12, 21, 23. It is also attested at Elephantine: AP 27:15; 30:28; 30:2, (15,) 28; 31:(2,) 27; 32:4; 38:(2,) 3, 5; 40:1. The title “God of Heaven” apparently reflects Persian-period language and seems to be an interculturally prevalent common denominator for God stemming from that time.⁵³ Second, there are quite a few LBH features in Gen 24 that point to a Persian-period setting. The most obvious case might be the imperative **הגמיאיני** “let me sip” in Gen 24:17, which is a *hapax legomenon* in Biblical Hebrew but is common in Rabbinic Hebrew.⁵⁴ Further examples can be found in Rofé’s article. Third, the issue of avoiding mixed marriages is absent from alleged preexilic material, but it is broadly attested and debated in Ezra-Nehemiah.⁵⁵ Taken together, it is more plausible to date Gen 24 in the Persian period than to any other time.⁵⁶

52. The most comprehensive of his arguments can be found in Rofé, “An Enquiry into the Betrothal of Rebekah,” in Blum, Macholz, and Stegemann, *Die Hebräische Bibel und ihre zweifache Nachgeschichte*, 383–87.

53. Stefan Beyerle, “The ‘God of Heaven’ in Persian and Hellenistic Times,” in *Other Worlds and Their Relation to This World: Early Jewish and Ancient Christian Traditions*, ed. Tobias Nicklas et al., JSJSup 143 (Leiden: Brill, 2010), 17–36.

54. Rofé, “Enquiry into the Betrothal,” 29.

55. See Ralf Rothenbusch, “The Question of Mixed Marriages between the Poles of Diaspora and Homeland: Observations in Ezra-Nehemiah,” in *Mixed Marriages: Inter-marriage and Group Identity in the Second Temple Period*, ed. Christian Frevel, LHBOTS 547 (New York: T&T Clark, 2011), 60–77; Ulrich Fistill, *Israel und das Ostjordanland: Untersuchungen zur Komposition von Num 21,21–36,13 im Hinblick auf die Entstehung des Buches Numeri*, ÖBS 30 (Frankfurt am Main: Lang, 2007), 213.

56. Gary A. Rendsburg, “Some False Leads in the Identification of Late Biblical

12.7. Numbers and Chronicles Begin Here

Some recent redaction-critical theories on the book of Numbers argue that there are no pre-P elements in the book. Following this approach (which is not generally accepted), the book of Numbers in toto would qualify as a Persian-period portion of the Pentateuch.⁵⁷ Be this as it may, Hans-Peter Mathys describes some close and conspicuous parallels between Numbers and Chronicles that are relevant to our question.⁵⁸ These parallels pertain to the role of the Levites, the highlighted significance of Pesach, the stress on the tithe, the regulations about temple funds and the numbering of the people, the absence of the notion of collective guilt, the concept of holy war, and others. Of course, none of these elements alone can bear the weight of proof for a late date for Numbers as a whole, but the cumulative evidence of these issues hints at the plausibility of a common intellectual milieu behind Numbers and Chronicles, even if the book of Numbers may include earlier traditions.⁵⁹

12.8. Identifying Criteria for
Dating Pentateuchal Texts to the Persian Period

For European scholarship, it is often stating the obvious to say that the Pentateuch includes material from the Persian period.⁶⁰ The Pentateuch

Hebrew Texts: The Cases of Genesis 24 and 1 Samuel 2:27–36,” *JBL* 121 (2002): 23–46, still argues otherwise.

57. See Reinhard Achenbach, *Die Vollendung der Tora: Studien zur Redaktionsgeschichte des Numeribuches im Kontext von Hexateuch und Pentateuch*, BZABR 3 (Wiesbaden: Harrassowitz, 2003), 629–33; Thomas Römer, “Das Buch Numeri und das Ende des Jahwisten: Anfragen zur ‘Quellenscheidung’ im vierten Buch des Pentateuch,” in *Abschied vom Jahwisten: Die Komposition des Hexateuch in der jüngsten Diskussion*, ed. Jan C. Gertz, Konrad Schmid, and Markus Witte, BZAW 315 (Berlin: de Gruyter, 2002), 215–31; see also Kratz, *Die Komposition*, 115–17; and the overview in Christian Frevel, “The Book of Numbers: Formation, Composition, and Interpretation of a Late Part of the Torah. Some Introductory Remarks,” in *Torah and the Book of Numbers*, ed. Christian Frevel, Thomas Pola, and Aaron Scharf, FAT 2/62 (Tübingen: Mohr Siebeck, 2013), 1–37.

58. Hans-Peter Mathys, “Numeri und Chronik: Nahe Verwandte,” in *The Books of Leviticus and Numbers*, ed. Thomas Römer, BETL 215 (Leuven: Peeters, 2008), 555–78.

59. See, e.g., Blum, *Komposition des Pentateuch*, 208–18.

60. See, e.g., Erhard S. Gerstenberger, *Israel in the Persian Period: The Fifth and Fourth Centuries B.C.E.*, BibEnc 8 (Atlanta: Society of Biblical Literature, 2011);

indeed seems to reflect the Persian Empire as the historical background for its authors and compilers. The Pentateuch certainly contains many texts that are older, dating back to the monarchic period (e.g., in the Jacob cycle; also in the exodus story), and if one accounts for oral pre-stages and traditions, then one can consider even earlier dates.⁶¹ But because this position is contested, the clarification of its methodological grounds is necessary. The following points need to be highlighted in this respect.

12.8.1. Linguistics

I maintain that, on its own, the fact that the Pentateuch was written in CBH does not place its literary formation in the preexilic period. On the one hand, there is no compelling reason to exclude the possibility of CBH texts in the later sixth and even the fifth or fourth centuries BCE. On the other hand, we have some texts like Gen 24 that exhibit features of LBH. P also seems to border on LBH. Methods of linguistic dating are relevant for a historical approach to the Pentateuch, but such methods need to be balanced by the incorporation of other methods.⁶²

12.8.2. Historical, Cultural, and Political Analogies and Intellectual Developments

This issue is tricky and contested,⁶³ and it requires us to accept the basic tenets of Troeltsch's historical method. If one embraces his three steps of "critique," "analogy," and "correlation,"⁶⁴ then the exilic shape of the Penta-

Thomas Römer, "Zwischen Urkunden, Fragmenten und Ergänzungen: Zum Stand der Pentateuchforschung," ZAW 125 (2013): 2–24; Römer, Macchi, and Nihan, *Einleitung in das Alte Testament*, 120–68.

61. See Schmid, "The Pentateuch and Its Theological History."

62. See n. 21.

63. See Konrad Schmid, "Anfänge politikförmiger Religion: Die Theologisierung politisch-imperialer Begriffe in der Religionsgeschichte des antiken Israel als Grundlage autoritärer und toleranter Strukturmomente monotheistischer Religionen," in *Religion–Wirtschaft–Politik: Forschungszugänge zu einem aktuellen transdisziplinären Feld*, ed. Antionius Liedhegener, Andreas Tunger-Zanetti, and Stephan Wirz (Zurich: Pano, 2011), 161–77.

64. See n. 25.

teuch (which takes place mostly outside of Israel), its “republican”⁶⁵ rather than monarchic outlook, its inclusive, pluralistic, and peaceful stance toward other nations, even the reference to “trousers,”—when viewed altogether—indeed point to a postmonarchic and specifically to a Persian-period setting for some of its text portions, especially P.

The same is true for a comparison of pentateuchal texts with concepts and developments outside of Genesis–Deuteronomy. If one relies even modestly on comparable biblical and epigraphic material outside of the Pentateuch, then the Pentateuch’s monotheism,⁶⁶ as well as the connections between Numbers and Chronicles or between Gen 24 and Ezra–Nehemiah suggest a Persian-period date.⁶⁷

To sum up: If we follow the road taken by critical scholarship over the past 250 years and read the Bible like any other book,⁶⁸ we should employ all the methods at our hands to determine the historical origin and context behind pentateuchal texts. If we do so, we see that despite the fact that the world of the pentateuchal narrative plays out in the second millennium BCE, there is evidence that the world of some of its narrators belongs to the post-539 BCE era, the Persian period.

65. See Thomas Römer, “La loi du roi en Deutéronome 17 et ses fonctions,” in *Loi et Justice dans la Littérature du Proche-Orient ancien*, ed. Olivier Artus, BZABR 20 (Wiesbaden: Harrassowitz, 2013), 99–111.

66. See n. 33.

67. See Konrad Schmid, *The Old Testament: A Literary History*, trans. Linda M. Maloney (Minneapolis: Fortress, 2012), 141–81. See also the interpretation of Gen 22 by Timo Veijola, “Das Opfer des Abraham: Paradigma des Glaubens aus dem nachexilischen Zeitalter,” *ZTK* 85 (1988): 129–64; see also Konrad Schmid, “Returning the Gift of the Promise: The ‘Salvation-Historical’ Sense of Genesis 22 from the Perspective of Innerbiblical Exegesis,” ch. 17 in this volume.

68. John W. Rogerson, “Die Bibel lesen wie jedes andere Buch? Auseinandersetzungen um die Autorität der Bibel vom 18. Jahrhundert an bis heute,” in *Biblischer Text und theologische Theoriebildung*, ed. Stephen Chapman et al., BThSt 44 (Neukirchen-Vluyn: Neukirchener Verlag, 2001), 211–34.

Part 4

Genesis

Genesis in the Pentateuch

13.1. Introduction

In the heyday of the Documentary Hypothesis, it was a common assumption that most texts in Genesis were to be interpreted as elements of narrative threads that extended beyond the book of Genesis and had at least a pentateuchal or hexateuchal scope (J, E, and P). To a certain degree, exegesis of the book of Genesis was therefore tantamount to exegesis of the book of Genesis in the Pentateuch or Hexateuch. The *Theologische Realenzyklopädie*, one of the major lexica in the German-speaking realm, has, for example, no entry for “Genesis” but only for the “Pentateuch” and its alleged sources. At the same time, it was also recognized that the material—oral or written—that was processed and reworked by the authors of the sources J, E, and P originated within a more modest narrative perspective that was limited to the single stories or story cycles, a view emphasized especially by Julius Wellhausen, Hermann Gunkel, Kurt Galling, and Martin Noth:¹ J and E were not authors but collectors.² Gunkel even went a step further: “‘J’ and ‘E’ are not individual writers but schools of narrators.”³ But with the successful reception of Gerhard von Rad’s 1938 hypothesis of a traditional

1. Julius Wellhausen, *Die Composition des Hexateuchs und der historischen Bücher des Alten Testaments*, 3rd ed. (Berlin: Reimer 1899); Hermann Gunkel, *Genesis: Übersetz und erklärt*, 6th ed., HKAT 1.1 (Göttingen: Vandenhoeck & Ruprecht 1964); Kurt Galling, *Die Erwählungstraditionen Israels* (Giessen: Töpelmann, 1928); Martin Noth, *A History of Pentateuchal Traditions*, trans. with an introduction by Bernhard W. Anderson, Scholars Press Reprint 5 (Chico, CA: Scholars Press, 1981), 2; trans. of *Überlieferungsgeschichte des Pentateuch* (Stuttgart: Kohlhammer, 1948).

2. See also Ronald Hendel, “Book of Genesis,” *ABD* 2:933–41.

3. Gunkel, *Genesis*, lxxv: “‘J’ und ‘E’ sind also nicht Einzelschriftsteller, sondern Erzählerschulen.” Unless otherwise noted, all translations are mine.

matrix now accessible through such historical creeds like Deut 26:5–9, which was assumed to have also rested on the intellectual background of the older oral material, biblical scholarship began to lose sight of the view taken by Wellhausen, Gunkel, Galling, and Noth. In addition, von Rad saw J and E as theologians, rather than the collectors proposed by Gunkel, and von Rad's view had an enormous impact on subsequent scholarship.⁴ His position dominated pentateuchal research in the mid-twentieth century, and it was also predominately his view of the Documentary Hypothesis that the English-speaking world received.

The mid 1970s provided a caesura: scholars like Rolf Rendtorff and Erhard Blum drew attention to the prepentateuchal orientations of the texts now contained within the book of Genesis.⁵ However, Blum, for example, still holds that the concept of the pentateuchal history is much older than its first literary formations, thereby seeming to overcome von Rad's conception on a literary but not on a tradition-historical level.⁶

Pentateuchal scholarship has changed dramatically in the last three decades, at least when seen in terms of a global perspective. The confidence concerning earlier assumptions about the formation of the Pentateuch no longer exists; a situation that might be lamented but that also opens up new—at least in the view of some scholars—apparently

4. See Gerhard von Rad, "Das formgeschichtliche Problem des Hexateuchs," in *Gesammelte Studien zum Alten Testament*, 2 vols., TB 8 and 48 (Munich: Kaiser, 1958–1973), 1:9–86; trans. as "The Form-Critical Problem of the Hexateuch," in *The Problem of the Hexateuch and Other Essays*, trans. E. W. Trueman Dickens (London: SCM, 1984), 1–78.

5. Rolf Rendtorff, *Das überlieferungsgeschichtliche Problem des Pentateuch*, BZAW 147 (Berlin: de Gruyter, 1977). See also Rendtorff, "Der 'Jahwist' als Theologe? Zum Dilemma der Pentateuchkritik," in *Congress Volume Edinburgh 1974*, ed. G. W. Anderson et al., VTSup 28 (Leiden: Brill, 1975), 158–66; trans. as "The 'Yahwist' as Theologian? The Dilemma of Pentateuchal Criticism," *JSOT* 3 (1977): 2–10, which is a direct conversation with von Rad's notion of J as theologian. For a more detailed treatment of these processes, see Konrad Schmid, *Genesis and the Moses Story: Israel's Dual Origins in the Hebrew Bible*, Siphut 3 (Winona Lake, IN: Eisenbrauns, 2010), 7–16, 334–47; Schmid, "Has European Pentateuchal Scholarship Abandoned the Documentary Hypothesis? Some Reminders on Its History and Remarks on Its Current Status," ch. 3 in this volume.

6. Erhard Blum, *Die Komposition der Vätergeschichte*, WMANT 57 (Neukirchen-Vluyn: Neukirchener, 1984), 360–61; David M. Carr, *Reading the Fractures of Genesis: Historical and Literary Approaches* (Louisville: Westminster John Knox, 1996), 217–18.

more adequate paths to understanding its composition.⁷ One of the main results of the new situation is that neither traditional nor newer theories can be taken as the accepted starting point of analysis; they are rather, at most, possible outcomes. The following discussion therefore strives to base itself on textual observations and not on a specific theory of the formation of the Pentateuch.

13.2. The Book of Genesis as a Prologue to the Moses Story

On the level of the final shape of the Pentateuch,⁸ it is fairly obvious that the book of Genesis serves as a kind of introduction or prologue to what follows in Exodus through Deuteronomy.⁹ It narrates the prehistory in terms of the global beginnings (Gen 1–11) and the ancestry of Israel (Gen 12–50), whose story under the leadership of Moses prior to the entry into the promised land is then told in the four latter books of the Pentateuch.

7. See, e.g., Georg Fischer, “Zur Lage der Pentateuchforschung,” ZAW 115 (2003): 608–16; Thomas Römer, “Hauptprobleme der gegenwärtigen Pentateuchforschung,” TZ 60 (2004): 289–307; Römer, “La formation du Pentateuque: Histoire de la recherche,” in *Introduction à l'Ancien Testament*, ed. Thomas Römer, Jean-Daniel Macchi, and Christophe Nihan, MdB 49 (Geneva: Labor et Fides, 2004), 67–84; Thomas B. Dozeman and Konrad Schmid, eds., *A Farewell to the Yahwist? The Composition of the Pentateuch in Recent European Scholarship*, SymS 34 (Atlanta: Society of Biblical Literature, 2006); Eckart Otto, *Das Gesetz des Mose* (Darmstadt: Wissenschaftliche Buchgesellschaft, 2007); Otto, “Kritik der Pentateuchkomposition: Eine Diskussion neuerer Entwürfe,” in *Die Tora: Studien zum Pentateuch; Gesammelte Aufsätze*, BZABR 9 (Wiesbaden: Harrassowitz, 2009), 143–67; Otto, “Die Tora im Alten Testament: Entstehung und Bedeutung für den Pentateuch,” BK 65 (2010): 19–23; Konrad Schmid, *Literaturgeschichte des Alten Testaments: Eine Einführung* (Darmstadt: Wissenschaftliche Buchgesellschaft, 2008), 37–41. The current situation is evaluated very critically by Joel S. Baden, *J, E, and the Redaction of the Pentateuch*, FAT 68 (Tübingen: Mohr Siebeck, 2009), who defends the basic tenets of the traditional Documentary Hypothesis while specifically emphasizing the separateness of J and E before D.

8. For a differentiated view on this notion see Erhard Blum, “Gibt es die Endgestalt des Pentateuch?,” in *Congress Volume Leuven 1989*, ed. John A. Emerton, VTSup 43 (Leiden: Brill, 1991), 46–57.

9. Matthias Millard, *Die Genesis als Eröffnung der Tora: Kompositions- und auslegungsgeschichtliche Annäherungen an das erste Buch Mose*, WMANT 90 (Neukirchen-Vluyn: Neukirchener Verlag, 2001). See also John Van Seters, *Prologue to History: The Yahwist as Historian in Genesis* (Louisville: Westminster John Knox, 1992) for his understanding of J.

Exodus begins by continuing where Genesis ends; there is some connecting overlap between the fringes of the two books.

The narrative from Exodus through Deuteronomy is bound together as a presentation of the life of Moses, framed by the reports of his birth (Exod 2) and his death (Deut 34), covering the 120 years of his life. In addition, Exodus through Deuteronomy offer all the law collections of the Torah. The book of Genesis introduces this *vita Mosis* that includes the biblical law corpora by contextualizing it within the framework of global history, world chronology,¹⁰ and the prehistory of Moses's people.

Nevertheless, the function of Genesis in the Pentateuch is apparently not exhausted by its description as the introduction to the Moses story. Genesis clearly introduces and discusses themes and topics that do not have counterparts later on in Exodus–Deuteronomy and that cannot be described merely as introductory elements. This is true, for example, for the cosmological and the anthropological arguments of the primeval history, although they also relate to some extent to the sanctuary and law texts in Exodus–Deuteronomy.¹¹ On the theological level, it needs to be noted that the promises to the ancestors in Genesis, concerning offspring and land possession, are fulfilled in the context of Exodus–Deuteronomy only with respect to the offspring (see explicitly Exod 1:7 on the literary level of P). The land promise remains unfulfilled until the conquest of Canaan narrated in the book of Joshua (see Josh 21:43–45), and it

10. For the details of the chronology, also regarding the different textual versions, see Jeremy Hughes, *Secrets of the Times: Myth and History in Biblical Chronology*, JSOTSup 66 (Sheffield: Sheffield Academic, 1990).

11. This is discernable, e.g., in the theological design of the sanctuary in Exod 25–40 (see esp. the interconnections between Gen 1:31; 2:1–3; and Exod 39:32, 43; 40:33) as a “creation within creation” (see Erhard Blum, *Studien zur Komposition des Pentateuch*, BZAW 189 [Berlin: de Gruyter, 1990], 306–11; Peter Weimar, “Sinai und Schöpfung: Komposition und Theologie der priesterlichen Sinaigeschichte,” *RB* 95 (1988): 337–85; Bernd Janowski, “Tempel und Schöpfung: Schöpfungstheologische Aspekte der priesterschriftlichen Heiligtumskonzeption,” *JBTh* 5 [1990]: 37–69; repr., *Gottes Gegenwart in Israel: Beiträge zur Theologie des Alten Testaments* [Neukirchen-Vluyn: Neukirchener Verlag, 1993], 214–46); for the logical interconnection between Gen 6:5; 8:21; and Deut 30:6, see Thomas Krüger, “Das menschliche Herz und die Weisung Gottes: Elemente einer Diskussion über Möglichkeiten und Grenzen der Tora-Rezeption im Alten Testament,” in *Das menschliche Herz und die Weisung Gottes: Studien zur alttestamentlichen Anthropologie und Ethik*, ATANT 96 (Zurich: TVZ, 2009), 107–36; Konrad Schmid, “The Ambivalence of Human Wisdom: Genesis 2–3 as a Sapiential Text,” ch. 14 in this volume.

becomes unfulfilled again after the loss of the land described at the end of the book of Kings (see 2 Kgs 25:11–12, 21–22, 26).¹² The promise theme is probably the most prominent element in Genesis that has an independent significance.¹³ In this respect, Genesis counterbalances the Moses story in Exodus–Deuteronomy, which completely takes place outside Israel's land (except for the tribes settling east of Jordan in Num 32): The narrative scenery of Gen 12–50 is mostly in Canaan itself, and the motif of the promise of the land (Gen 12:7; 13:17; 15:18–21; 17:8; 28:13; 35:12, etc.) compensates for Israel's landless existence in Exodus–Deuteronomy within the overall context of the Pentateuch. It is therefore no surprise that this Genesis theme is taken up subsequently and regularly in the following books (Gen 50:24, Exod 32:12, 33:1, Num 32:11; Deut 34:4, see on these texts below §13.4.2).

13.3. Diachronic Perspectives

Although the transition from Genesis to Exodus is quite smooth and narratively plausible, it is apparent when viewed historically that Genesis was neither originally written in order to be continued in Exodus nor did

12. See on these texts Christoph Levin, “The Empty Land in Kings,” in *The Concept of Exile in Ancient Israel and Its Historical Contexts*, ed. Ehud Ben Zvi and Christoph Levin, BZAW 404 (Berlin: de Gruyter, 2010), 61–89.

13. In terms of redaction history, the promises in Genesis have to be seen on very different levels: There are probably quite ancient promises like the promise of a son in Gen 18:10, which belong to the substance of that narrative. However, most of the promises are obviously of redactional origins to connect the stories and story cycles in Gen 12–50 to a larger whole. Examples can be found in Gen 12:1–3; 13:14–17; 28:13–15; 31:3, 13; and 46:2–4. Especially Rendtorff observes that the promises usually are not integral parts of the narratives in which they appear. However, they still have to be differentiated in terms of their literary genesis. Some of the earlier redactional promises might have originated after 722 BCE, compensating theologically for the fall of the Northern Kingdom, while the bulk of them also presuppose the destruction of Jerusalem and Judah in 587 BCE; see Matthias Köckert, *Vätergott und Väterverheissungen: Eine Auseinandersetzung mit Albrecht Alt und seinen Erben*, FRLANT 142 (Göttingen: Vandenhoeck & Ruprecht, 1988); Köckert, “Verheissung I. Altes Testament,” *TRE* 34:697–704. Reinhard G. Kratz, *The Composition of the Narrative Books of the Old Testament*, trans. John Bowden (London: T&T Clark, 2005), 262–65 opts decidedly for a still preexilic setting for Gen 12:1–3 and 28:13–15, but after 722 BCE. Gen 12:1–3 and 28:13–15 bind the Abraham and the Jacob cycles together.

Exodus necessarily presuppose Genesis as its introduction.¹⁴ Especially the Joseph story, which serves as a bridge between Genesis and Exodus in the present shape of the Pentateuch, contains different aims than just telling how Israel came to Egypt.¹⁵ In Gen 50, after already having moved in toto to Egypt, Israel returns to Canaan again by means of only one verse (Gen 50:14), and the people are then transferred back to Egypt once again.¹⁶ In addition, rather than preparing the image of the cruel and ignorant pharaoh in Exod 1–15, the Joseph story offers a completely different image of the Egyptian king. Israel's plight as forced laborers is also unexplained. The Israelites arrived as peaceful peasants in Egypt. How did they become slaves? Finally, the chronological adjustment between Genesis and Exodus is also spotty: Exod 12:40 reports that Israel served for 430 years in Egypt; on the other hand, according to Exod 2:1 Moses seems to be Levi's grandson on his maternal side, which hardly allows for more than a hundred years between Genesis and Exodus.¹⁷ These differences in chronology also suggest that the transition from Genesis to Exodus does not belong to the core narrative of either of those books.

Despite some important introductory functions for the following books, Genesis also shows, as we have already seen, clear signs of prior existence as a stand-alone literary unit for some portion of its literary growth. Genesis is a special book within the Pentateuch: it is the most self-contained one.¹⁸ Corroboration also comes through a comparison of its closing words to those of the other pentateuchal books, which again

14. For Exod 2 as the original opening of the exodus story, see Eckart Otto, "Mose und das Gesetz: Die Mose-Figur als Gegenentwurf Politischer Theologie zur neuassyrischen Königsideologie im 7. Jh. v. Chr.," in *Mose: Ägypten und das Alte Testament*, SBS 189 (Stuttgart: Katholisches Bibelwerk, 2000), 43–83; David M. Carr, "Genesis in Relation to the Moses Story," in *Studies in the Book of Genesis: Literature, Redaction and History*, ed. André Wénin, BETL 155 (Leuven: Peeters, 2001), 293–95; Schmid, *Genesis and the Moses Story*, 122–44.

15. See Kratz, *Composition*, 274–79; Konrad Schmid, "The Joseph Story in the Pentateuch," ch. 18 in this volume.

16. See on Gen 50:14 especially Jan C. Gertz, "The Transition between the Books of Genesis and Exodus," in Dozeman and Schmid, *Farewell to the Yahwist?*, 73–87, who attributes this verse to P.

17. See Schmid, *Genesis and the Moses Story*, 5.

18. See David L. Petersen, "The Genesis of Genesis," in *Congress Volume 2007*, ed. André Lemaire, VTSup 133 (Leiden: Brill, 2010), 28: "Hence, I maintain that Genesis is not simply one portion of the larger Pentateuch; Genesis is a book of its own right."

reveals Genesis's special status within the Pentateuch. Exodus–Deuteronomy seem to be construed redactionally as a four-book series by means of their final verses, while the book of Genesis is not an integral part of that series (see the formulations “before the eyes of all [the house of] Israel” in Exod 40:38; Deut 34:12 and “these are the commandments ... that YHWH commanded) in Lev 27:34 and Num 36:13, which form an *inclusio*).¹⁹

Consequently, it is not far-fetched to conclude that the origins and the earlier formative stages of the book of Genesis do not yet show the awareness of neighboring texts and books, hinting at their original literary independence. It is quite common and well-established even within the Documentary Hypothesis that, for example, the Abraham-Lot stories, the Jacob cycle, and the Joseph story existed as separate literary units before being worked together into a proto-Genesis book and then incorporated into the sources.²⁰

Therefore, the question arises: At what point in their literary history were the traditions now contained in the book of Genesis linked to the still growing Pentateuch? Put this way, the question opens up many possibilities for speculation. When dealing with the literary history of a biblical book, one must sometimes risk the danger of leaving the confines of safe assumptions. There are no copies of the book of Genesis of the sixth or fourth centuries BCE by which some theories about its composition might be empirically verified or falsified. Only the final versions of the book—extant in the different textual witnesses of Genesis—are known. Nevertheless, it is possible to identify and discuss some more or less clear textual elements in the book of Genesis that establish such links and that allow some conclusions. According to a quite common methodological consensus in diachronic biblical studies, it makes sense to start out with the allegedly later texts and then to proceed gradually to earlier texts.²¹ This methodology applies especially to §13.5 below; meanwhile the Priestly texts (§13.4) form a well-defined literary corpus of their own.

19. See Ehud Ben Zvi, “The Closing Words of the Pentateuchal Books: A Clue for the Historical Status of the Book of Genesis within the Pentateuch,” *BN* 62 (1992): 7–11.

20. See, e.g., Werner H. Schmidt, *Einführung in das Alte Testament*, 5th ed. (Berlin: de Gruyter, 1995), 63–75; John J. Collins, *Introduction to the Hebrew Bible* (Minneapolis: Fortress, 2004), 86–88.

21. See, e.g., Rudolf Smend, *Die Entstehung des Alten Testaments*, 4th ed., ThW 1 (Stuttgart: Kohlhammer, 1991), 9–12.

13.4. The Priestly Layer in Genesis and the Following Pentateuchal Books

There is one set of texts in Genesis belonging to a prominent textual layer that runs at least through Genesis and Exodus, traditionally known as the Priestly code (P), which are well connected among each other.²² Nineteenth-century scholarship believed P to be the foundational layer of the Pentateuch, which in some sense holds still true: P apparently established the main thread along which older, formerly independent text materials have also been arranged.²³

Despite all the uncertainties of pentateuchal research, P still remains a sufficiently safe assumption.²⁴ Its texts probably formed a once independent literary entity that might have been written at the end of the sixth century BCE.²⁵ In terms of P, Genesis is, therefore, closely linked to the rest

22. See the standard text assignments by Karl Elliger, "Sinn und Ursprung der priesterlichen Geschichtserzählung," *ZTK* 49 (1952): 121–43; repr., *Kleine Schriften zum Alten Testament*, ed. Hartmut Gese and Otto Kaiser, TB 32 (Munich: Kaiser, 1966), 174–98; Norbert Lohfink, "Die Priesterschrift und die Geschichte," in *Congress Volume Göttingen 1977*, ed. John A. Emerton, VTSup 29 (Leiden: Brill, 1978), 183–225; repr., *Studien zum Pentateuch*, SBAB 4 (Stuttgart: Katholisches Bibelwerk, 1988), 213–53; Eckart Otto, "Forschungen zur Priesterschrift," *TRu* 62 (1997): 1–50. P probably originally ended in the Sinai pericope, see Thomas Pola, *Die ursprüngliche Priesterschrift: Beobachtungen zur Literarkritik und Traditionsgeschichte von Pg*, WMANT 70 (Neukirchen-Vluyn: Neukirchener Verlag, 1995); Petersen, "Genesis," 38; the traditional solution (P ends in Deut 34) is defended by Christian Frevel, *Mit Blick auf das Land die Schöpfung erinnern: Zum Ende der Priestergrundschrift*, HBS 23 (Freiburg im Breisgau: Herder, 2000).

23. Theodor Nöldeke, "Die s.g. Grundschrift des Pentateuch," in *Untersuchungen zur Kritik des Alten Testaments* (Kiel: Schwes, 1886), 1–144.

24. See, e.g., Blum, *Komposition des Pentateuch*, 221; Carr, *Fractures*, 43.

25. P's political theology presupposes Persian imperial ideology, which sets 539 BCE as a *terminus a quo* (see Konrad Schmid, "Gibt es eine 'abrahamitische Ökumene' im Alten Testament? Überlegungen zur religionspolitischen Theologie der Priesterschrift in Genesis 17," in *Die Erzväter in der biblischen Tradition*, ed. Anselm C. Hagedorn and Henrik Pfeiffer, BZAW 400 [Berlin: de Gruyter, 2009], 67–92). A *terminus ad quem* might be seen in the conquest of Egypt by Cambyses in 525 BCE, which is probably not reflected in P because Egypt seems to be excluded from P's vision of a peaceful world under God's rule (see Exod 7–11 and 12:12 and esp. Albert de Pury, "P^e as the Absolute Beginning," in *Les dernières rédactions du Pentateuque, de l'Hexateuque et de l'Ennéateuque*, ed. Thomas Römer and Konrad Schmid, BETL 203 [Leuven: Peeters, 2007], 99–128, esp. 123–28; repr., *Die Patriarchen und die Priesterschrift: Les Patriarches et le document sacerdotal; Gesammelte Studien zu seinem 70. Geburtstag; Recueil*

of the Pentateuch,²⁶ which of course also accords with P's basic theological perspective that the patriarchal period serves as the theological basis of Israel—not the Sinai events.²⁷

Nevertheless, the tight coherence between Genesis and Exodus in P still betrays the binding together of two divergent narrative blocks, as can be seen especially in Exod 6:3.²⁸ In the commissioning of Moses, God introduces himself as YHWH despite the fact that he appeared to Abraham, Isaac, and Jacob as El Shaddai. This gradual revelation of God has, of course, some function within P, but it also reflects the different theological profiles of Genesis and Exodus that result from their particular literary-historical backgrounds.

Furthermore, the Genesis portions of P show some signs of being self-contained. This results partly from the history of the material and partly with the theological focus of P on the covenant with Abraham (Gen 17). However, notice should also be taken of the incorporation of the *toledot*-book in P, which covers the primeval and the patriarchal period of Genesis in two series of five *toledot*. Its redactional reception within P can best be observed in Gen 5:1–3: The original superscription of the *toledot*-book is still discernible (5:1a, 3), but it was adjusted in light of Gen 1:1–2:4a, especially with respect to “Adam” as a designation for the species of human beings and as the proper name of its first representative, which triggered the insertion of 5:1b, 2.²⁹

d'articles, à l'occasion de son 70e anniversaire, ed. Jean-Daniel Macchi, Thomas Römer, and Konrad Schmid, ATANT 99 [Zurich: TVZ, 2010], 13–42).

26. To my mind, P is also the first author in the Pentateuch to have established a literary link between Genesis and Exodus and thereby also to have created the basic narrative outline of the Pentateuch. See in detail my *Genesis and the Moses Story* and below nn. 73 and 77; for opposing views, see n. 72.

27. See the still groundbreaking study of Walther Zimmerli, “Sinaibund und Abrahambund: Ein Beitrag zum Verständnis der Priesterschrift,” *TZ* 16 (1960): 268–80, repr., *Gottes Offenbarung: Gesammelte Aufsätze zum Alten Testament*, TB 19 (Munich, 1963), 205–17; see also Schmid, *Genesis and the Moses Story*, 238–48.

28. See W. Randall Garr, “The Grammar and Interpretation of Exodus 6:3,” *JBL* 111 (1992): 385–408.

29. Schmid, *Genesis and the Moses Story*, 236–37, see also David M. Carr, “Βίβλος γενέσεως Revisited: A Synchronic Analysis of Genesis as Part of the Torah,” *ZAW* 110 (1998): 159–72, 327–47, esp. 169–70. A different explanation is offered by Christoph Levin, “Die Redaktion R^{1P} in der Urgeschichte,” in *Auf dem Weg zur Endgestalt von Genesis bis II Regum: Festschrift Hans-Christoph Schmitt zum 65. Geburtstag*, ed. Martin Beck and Ulrike Schorn, BZAW 370 (Berlin: de Gruyter, 2006), 27–28. See

13.5. Further Links from Genesis to the Other Books of the Pentateuch

Some of the strongest links from Genesis to the following books are provided by the Priestly layer. But it seems that also in the non-P material, especially in the post-P material, such connections can be discerned.³⁰ Against the tenets of the Documentary Hypothesis, it needs to be stressed that there is no reason to assume that “non-P” always equals “pre-P.” The following discussion starts with those texts that have in view the widest literary horizon and at the same time are allegedly the latest ones, then proceeding backward in time to supposedly older layers that, however, all still probably belong to the post-P history of Genesis.

13.5.1. Redactional Portions in Genesis Embedding the Book in the Hexateuch (Gen 50:25)

As is well known, there is one set of texts in the sequence of Genesis through Joshua that explicitly belongs together. No element makes sense without the others; therefore, they must belong to one and the same literary layer: the transfer of Joseph’s bones from Egypt back to Canaan in Gen 50:25; Exod 13:19; and Josh 24:26.³¹ This is sufficient evidence to claim that at least at the stage of this series of statements, represented in Genesis by (at least)³² Gen 50:25, the book of Genesis was subject to a redaction comprising the Hexateuch (Genesis–Joshua). In addition, Josh 24:2–4 looks back to Gen 11–12, introducing, however, a new idea contrary to the presentation of Abraham in Genesis with the reference to his and his father’s idolatry in Mesopotamia. The location of Josh 24 in Shechem also probably refers back to Gen 12:6, 8, where Abraham erects the first altar in the land of Canaan.³³ Finally, Joseph and Joshua are paralleled by their

also Claus Westermann, *Genesis 1–11*, BKAT 1.1 (Neukirchen-Vluyn: Neukirchener Verlag, 1974), 481–82.

30. Eckart Otto, “Forschungen zum nachpriesterschriftlichen Pentateuch,” *TRu* 67 (2002): 125–55.

31. See Markus Witte, “Die Gebeine Josefs” in Beck and Schorn, *Auf dem Weg zur Endgestalt*, 139–56.

32. As Blum, *Die Komposition der Vätergeschichte*, 44–45, convincingly argues, the motif of Jacob’s purchase of the plot (Gen 33:19) also belongs to the same layer of texts.

33. The Septuagint places Josh 24 in Shiloh (Josh 24:1, 25), which is probably the result of an anti-Samaritan tendency in its *Vorlage*, see Christophe Nihan, “The Torah between Samaria and Judah: Shechem and Gerizim in Deuteronomy and Joshua,” in

ages of 110 years (Gen 50:26; Josh 24:32). However, neither Gen 12:6, 8; Gen 11:27–32; nor Gen 50:26 show any awareness of Josh 24. Therefore, it is rather implausible to attribute these statements to the same layer: they are probably earlier texts that were taken up later by Josh 24.

It is disputed whether this redaction aimed at establishing a stand-alone Hexateuch or whether this is a literary device to constitute only a “literary” Hexateuch³⁴ within an Enneateuch (Genesis–Kings).³⁵ An answer to this question depends upon how one understands Josh 24, which will not be discussed here.³⁶

13.5.2. Redactional Portions in Genesis Embedding the Book in the Pentateuch (Gen 50:24; Gen 6:1–4; Gen 22:15–18; 26:3b–5)

Besides the Josh 24 network, there are also texts in Genesis that hint to redactional interests that strive to bind the five books of the Pentateuch together. Especially David Clines and Thomas Römer have pointed out that the notion of the promise of the land to Abraham, Isaac and Jacob as oath—without the apposition אבות “fathers”—in Gen 50:24; Exod 32:12; 33:1; Num 32:11; and Deut 34:4 runs through the Pentateuch as a

The Pentateuch as Torah: New Models for Understanding Its Promulgation and Acceptance, ed. Bernard M. Levinson and Gary N. Knoppers (Winona Lake, IN: Eisenbrauns, 2007), 187–223, esp. 197 n. 31.

34. Erhard Blum, “Der kompositionelle Knoten am Übergang von Josua zu Richter: Ein Entflechtungsvorschlag,” in *Deuteronomy and Deuteronomistic Literature: Festschrift C. H. W. Breckelmanns*, ed. Marc Vervenne and Johan Lust, BETL 133 (Leuven: Leuven University Press, 1997), 181–212; Eckart Otto, *Das Deuteronomium im Pentateuch und im Hexateuch: Studien zur Literaturgeschichte von Pentateuch und Hexateuch im Lichte des Deuteronomiumrahmens*, FAT 30 (Tübingen: Mohr 2000), 175–211; Reinhard Achenbach, “Pentateuch, Hexateuch, und Enneateuch: Eine Verhältnisbestimmung,” *ZABR* 11 (2005): 122–54; Thomas Römer and Marc Zvi Brettler, “Deuteronomy 34 and the Case for a Persian Hexateuch,” *JBL* 119 (2000): 401–19; Thomas Römer, “Das doppelte Ende des Josuabuches: Einige Anmerkungen zur aktuellen Diskussion um ‘deuteronomistisches Geschichtswerk’ und ‘Hexateuch,’” *ZAW* 118 (2006): 523–48.

35. Schmid, *Genesis and the Moses Story*, 208–13, 342; Reinhard G. Kratz, “Der vor- und der nachpriesterschriftliche Hexateuch,” in Gertz, Schmid, and Witte, *Abschied vom Jahwisten*, 295–323.

36. See the contributions in Römer and Schmid, *Les dernières rédactions du Pentateuque*.

whole.³⁷ It is especially noteworthy that this motif cannot be found in the subsequent books of Joshua–2 Kings.³⁸ Apparently the promise of land to Abraham, Isaac, and Jacob as an oath is indeed a topic binding the Pentateuch together.

This point can be buttressed in literary-historical terms by the observation that the five texts putting forward the notion of the land promise to Abraham, Isaac, and Jacob as an oath seem to presuppose P and D. Thus, they probably belong to the latest literary developments of the Torah. It seems that they have combined the motif of the land promise as oath that is prominent in the Deuteronomistic parts of Deuteronomy (see Deut 1:8, 35; 6:10, 18, 23; 7:13; 8:1; 9:5; 10:11; 11:9, 21; 19:8; 26:3, 15; 28:11; 30:20; 31:7, 20–21; 34:4) with the Priestly conviction that God's acting toward Israel is rooted in the covenant with the ancestors (see Gen 17). The result is the notion of the promise of the land to Abraham, Isaac, and Jacob as an oath.³⁹ Consequently, Gen 50:24 can be interpreted as an element of a redaction establishing the Pentateuch as a literary unit.⁴⁰

A second element needs to be taken into account when discussing literary elements in Genesis that might belong to a Pentateuch redaction. Genesis 6:1–4 relates the somewhat difficult passage about the intermar-

37. David J. A. Clines, *The Theme of the Pentateuch*, 2nd ed., JSOTSup 10 (Sheffield: Sheffield Academic, 1997); Thomas Römer, *Israels Väter: Untersuchungen zur Väterthematik im Deuteronomium und in der deuteronomistischen Tradition*, OBO 99 (Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 1990), 566.

38. Schmid, *Genesis and the Moses Story*, 271–79.

39. For detailed analysis, see Römer, *Israels Väter*.

40. For a discussion of the literary-historical relationship between Gen 50:24 and 50:25 see Erhard Blum, "Die literarische Verbindung von Erzvätern und Exodus: Ein Gespräch mit neueren Endredaktionshypothesen," in Gertz, Schmid, and Witte, *Abschied vom Jahwisten*, 145–46; Schmid, *Genesis and the Moses Story*, 99–100, 214–15, 274–78. Vice versa, Deut 34:4 refers back to the beginning of the Pentateuch, to Gen 12:7 and 13:15 and thus forms an *inclusio*. First, Deut 34:4 quotes the promise of the land given in Gen 12:7. Second, there are clear interconnections between Deut 34:1–4 and Gen 13:10–15. The cross-references between Deut 34:1–4 and Gen 12:7; 13:10–15 are especially remarkable, as Gen 12:1–3, 7 and 13:10–17 belong closely together and might be part of one and the same narrative arc, as Köckert has suggested in *Vätergott und Väterverheissungen*, 250–55; cf. Blum, *Komposition des Pentateuch*, 214 n. 35. Deuteronomy 34:1–4 seems to take up the promise network of Gen 12–13 as a whole and stresses the fact that the land promised to Abraham is still promised to Israel. But unlike the case of Gen 50:24, there is no indication that Deut 34:1–4 belongs to the same layer as the promise network in Gen 12–13.

riage between the בני אלהים and the daughters of humankind.⁴¹ This text mentions the limitation of the human lifespan to 120 years (Gen 6:3). It has often been observed,⁴² starting even with Josephus,⁴³ that this motif recurs in Deut 34:7, which reports that Moses dies at the age of 120 years. This lifespan is not unique in the ancient world,⁴⁴ so there is no need to postulate a specific link between Gen 6:3 and Deut 34:7 merely on the basis of the number. Nevertheless, there is a good argument within Deut 34 that shows that Deut 34:7 alludes to Gen 6:3. Moses's death notice is followed by the amazing statement that he died in the best of health: "His sight was unimpaired, and his vigor had not abated."⁴⁵ This is especially striking because this statement also creates a contradiction to the text in Deut 31:1–2, where Moses complains that he is no longer at his prime: he is no longer able to go forth and come home—that is, most likely, he is no longer capable of military leadership. The emphasis on Moses's health in Deut 34:7 tells the reader that Moses dies for no other reason than that his lifespan has reached the limit set by God in Gen 6:3. If Deut 34:7 takes up Gen 6:3, the opposite question may be asked: Was Gen 6:3 written to prepare Deut 34:7? This seems indeed to be the case because Gen 6:3 and Deut 34:7 share the same theological profile. Deuteronomy 34:7 states that Moses is not allowed to enter the promised land simply because his lifespan has run out—not because of any sort of wrongdoing, which is a third alternative explanation of why Moses may not enter the promised land in

41. See Mirjam Zimmermann and Ruben Zimmermann, "'Heilige Hochzeit' der Göttersöhne und Menschentöchter," *ZAW* 111 (1999): 327–52; Helge Kvanvig, "Gen 6,1–4 as an Antediluvian Event," *SJOT* 16 (2002): 79–112; Kvanvig, "The Watcher Story and Genesis: An Intertextual Reading," *SJOT* 18 (2004): 163–83; Andreas Schüle, "The Divine-Human Marriages (Genesis 6:1–4) and the Greek Framing of the Primeval History," *TZ* 65 (2009): 116–28.

42. See, e.g., Benno Jacob, *Das erste Buch der Tora: Genesis* (New York: Schocken, 1934), 176–77.

43. Josephus, *Ant.* 2.152; 3.95; 4.176–93; see also Klaus Haacker and Peter Schäfer, "Nachbiblische Traditionen vom Tod des Mose," in *Josephus-Studien: Untersuchungen zu Josephus, dem Antiken Judentum und dem Neuen Testament; Otto Michel zum 70. Geburtstag gewidmet*, ed. Otto Betz, Klaus Hacker, and Martin Hengel (Göttingen: Vandenhoeck & Ruprecht, 1974), 147–74, esp. 148.

44. See Kvanvig, "Gen 6,1–4," 99. Gunkel, *Genesis*, 58 points to Herodotus, *Hist.* 3.23 as a parallel to the life span of "120 years" (in this case of Ethiopians).

45. Otto, *Das Deuteronomium im Pentateuch*, 226, points to the antithetical composition of Isaac (Gen 27:1) and Moses (Deut 34:7), both connected by the term בָּהָה, used only here.

contrast to the D tradition (cf. Deut 1:34–37; 3:25–27),⁴⁶ on the one hand, and the P tradition (cf. Num 20:12), on the other. The Priestly tradition in Num 20:12 presents Moses as having failed to obey God by striking the rock when he tried to get water for his people. God had commanded Moses to “speak with the rock” (Num 20:8), but Moses then struck the rock. The story even seems to suggest that Moses did not believe the rock could bring forth water.⁴⁷ Moses thus committed a sin. The Deuteronomistic tradition, on the other hand, proposes another solution for why Moses may not enter the promised land. Individually, Moses seems to be innocent, but he is included in the sin of the people: “Even with me YHWH was angry on your account.”⁴⁸ Both the Priestly and the Deuteronomistic explanation for Moses’s death outside of the promised land reckon with Moses’s guilt: in the former case, his guilt is individual; in the latter, it is collective in nature. In contrast, Deut 34:7 supports neither of these positions but instead proposes a third option: Moses is not allowed to enter the promised land because his lifespan of 120 years comes to an end on the very day of his farewell speech in the Transjordan. His death is primarily the result of divine fate.⁴⁹

Furthermore, this theological profile of Deut 34:7—where Moses’s death has nothing to do with personal guilt, but rather with fate—matches the thematic thrust of Gen 6:3 within the framework of Gen 6:1–4.⁵⁰ In its current literary position, the heavenly interference of divine sons with human daughters offers a (additional) reason for the flood.⁵¹ The flood

46. For a placement within redaction history see Otto, *Das Deuteronomium im Pentateuch*, 22–23; also Christian Frevel, “Ein vielsagender Abschied: Exegetische Blicke auf den Tod des Mose in Dtn 34,1–12,” *BZ* 45 (2001): 220–21, n. 37.

47. The statement—kept vague probably out of respect for Moses—in Num 20:10 would then be interpreted as follows: “Should we really be able to produce water from this rock?”

48. See Deut 1:36 and 3:26 (“YHWH got angry with me because of you”).

49. Thomas Römer, “Deuteronomium 34 zwischen Pentateuch, Hexateuch und deuteronomistischem Geschichtswerk,” *ZABR* 5 (1999): 167–78; Römer and Brettler, “Deuteronomy 34 and the Case for a Persian Hexateuch,” 408.

50. See esp. Manfred Oeming, “Sünde als Verhängnis: Gen 6,1–4 im Rahmen der Urgeschichte des Jahwisten,” *TTZ* 102 (1993): 34–50.

51. David J. A. Clines, “The Significance of the ‘Son of God’ Episode (Genesis 6:1–4) in the Context of the ‘Primeval History’ (Genesis 1–11),” *JSOT* 13 (1979): 33–46; Ronald Hendel, “Of Demigods and the Deluge: Towards an Interpretation of Genesis 6:1–4,” *JBL* 106 (1987): 13–26; Andreas Schüle, “Divine-Human Marriages.”

is not only solicited by human guilt (as Gen 6:5–8 states), but also by transcendent fate. Responsibility for the mixing of the human and divine sphere, caused by the בני אלהים, does not fall on the shoulders of human-kind. It just occurred to them. Therefore, the literary *inclusio* between Gen 6:3 and Deut 34:7 seems to go back to one and the same hand: Gen 6:3 looks forward to Deut 34:7 and Deut 34:7 refers back to Gen 6:3.

Finally, mention should be made of the passages in Genesis portraying Abraham as a pious observer of the torah (Gen 22:18b and 26:5b within their contexts of Gen 22:15–18 and Gen 26:3b–5).⁵² It is obvious that they reflect the inclusion of the book of Genesis in the Torah and therefore portray the ancestors in the book of Genesis as followers of the torah.⁵³ Nevertheless, they are unable to hide the fact that the law was only given later on by Moses, giving rise to the explanation of the book of Jubilees, which deals with the question of how Israel's ancestors before Moses could be observant without the law. Its solution was a metaphysical one: By means of heavenly tablets, the ancestors who came before Moses were already informed of the law.⁵⁴ Genesis 22:18b stands within 22:15–18, which is an addition to Gen 22:1–14, 19, a text probably of post-P origin.⁵⁵ Genesis 26:5b is closely interconnected with Gen 22:15–18 and is to be attributed to the same redactional layer.⁵⁶

It cannot be taken for granted that Gen 50:24; 6:1–4; 22:15–18; 26:3b–5 all stem from one and the same hand. They share the common interest in anchoring the book of Genesis within the Pentateuch, but they might also have been inserted at different times.

52. Beate Ego, "Abraham als Urbild der Toratreue Israels: Traditionsgeschichtliche Überlegungen zu einem Aspekt des biblischen Abrahambildes," in *Bund und Tora: Zur theologischen Begriffsgeschichte in alttestamentlicher, frühjüdischer und urchristlicher Tradition*, ed. Friedrich Avemarie and Hermann Lichtenberger, WUNT 92 (Tübingen: Mohr, 1996), 25–40.

53. Blum, *Die Komposition der Vätergeschichte*, 363–65, counts these texts among the D-redaction of Genesis, which he now dates post-P, see his "Die literarische Verbindungen," 140–45.

54. On this motif see Florentino García Martínez, "The Heavenly Tablets in the Book of Jubilees," in *Studies in the Book of Jubilees*, ed. Matthias Albani, Jörg Frey, and Armin Lange, TSAJ 65 (Tübingen: Mohr Siebeck, 1997), 243–60.

55. See the discussion in Konrad Schmid, "Returning the Gift of the Promise: The 'Salvation-Historical' Sense of Genesis 22 from the Perspective of Innerbiblical Exegesis," ch. 17 in this volume.

56. See the detailed argument in Blum, *Die Komposition der Vätergeschichte*, 362–64.

13.6. Redactional Portions in Genesis Linking the Book to the Exodus Story (Gen 15)

Genesis 15 involves the most prominent bridge text in Genesis that serves as a literary connection between Genesis and Exodus: Gen 15:13–16 contains a preview that explicitly speaks of a four-hundred-year sojourn (גור) of Israel as slaves (עבד) and oppressed (ענה) people in Egypt (15:13), of the judgment (דן) of Egypt (15:14a), and of the departure (יצא) of Israel (15:14b, 16) lasting four generations.

It is, however, unclear how this piece fits within the literary history of the book of Genesis. Within the framework of the Documentary Hypothesis, Gen 15 has never been convincingly classified. The frequently presented idea that Gen 15 solemnly introduces E, was never fully accepted. Today it has been largely abandoned, even among the advocates of E, especially since Gen 15 only uses the Tetragrammaton, while **אלהים** never appears. But even the segmentation of J and E that was often attempted did not succeed convincingly. Thus, it was not possible to classify Gen 15 within the framework of the Documentary Hypothesis.⁵⁷ As an alternative, scholars sought to explain Gen 15 “as a Deuteronomistic *corpus separatum*.”⁵⁸ However, for various reasons, this option proved unsuccessful as well, especially because the notion of covenant in Gen 15 hardly fits Deuteronomistic ideas. Recent proposals include those of Römer and John Ha, who theorize that Gen 15 represents a rereading of Gen 17 (P), so Gen 15 should therefore be dated after P.⁵⁹ At least for the verses 15:13–16, this option has also been accepted among traditional scholarship especially because 15:14 (רכוש) and 15:15 (שיבה ובטה) use language otherwise known especially from P texts.⁶⁰

57. For a full discussion, see Schmid, *Genesis and the Moses Story*, 158–61.

58. Shemaryahu Talmon, “‘400 Jahre’ oder ‘vier Generationen’ (Gen 15,13–15): Geschichtliche Zeitangaben oder literarische Motive,” in *Die Hebräische Bibel und ihre zweifache Nachgeschichte: Festschrift für Rolf Rendtorff*, ed. Erhard Blum, Christian Macholz, and Ekkehard W. Stegemann (Neukirchen-Vluyn: Neukirchener Verlag, 1990), 13.

59. See Thomas Römer, “Gen 15 und Gen 17: Beobachtungen und Anfragen zu einem Dogma der ‘neueren’ und ‘neuesten’ Pentateuchkritik,” *DBAT* 26 (1989–1990): 32–47; John Ha, *Genesis 15: A Theological Compendium of Pentateuchal History*, BZAW 181 (Berlin: de Gruyter, 1989).

60. See Schmid, *Genesis and the Moses Story*, 166–67 and 166 n. 5.

The overall post-Priestly dating of Gen 15 depends on how the literary integrity of the chapter is seen. This does not need to be decided here,⁶¹ but, at any rate, it is more or less obvious that the explicit links in Gen 15 presuppose P.

Other portions in Genesis have also been discussed as links to the book of Exodus. Genesis 12:10–20 offers clear associations to the exodus story. The wording of this passage indicate that these associations are intended. Pharaoh is struck (נגע) with plagues, as in Exod 11:1. In 12:20, he sends (שלח) Abraham and his entourage forth thereby echoing the leading word of Exod 5–11.⁶² Even the commands to let Abraham and Moses go correspond to one another (קח ולך in Gen 12:17 and קחו ולכו in Exod 12:32). “In many respects, the episode is shaped accordingly as a prefiguration of the later exodus, as a piece of salvation history at the beginning of the history of Israel.”⁶³ How one should evaluate this prefiguration is by no means clear at first glance. One can consider the possibility that this entire anticipation is suited to function as a critical note. Abraham does not prefigure Moses; Moses is instead an epigone of Abraham. However one sees it, Gen 12:10–20 is not exactly a literary bridge between Genesis and Exodus that connects the flow of events in these two books. The typological correspondence between Abraham and Moses is also quite conceivable between two literarily independent narrative works. The echoes of the exodus do not persuasively signify a presumed literary connection from Genesis to Exodus.⁶⁴

Yet another text often seen as a literary connection between Genesis and Exodus is Gen 46:1–5a.⁶⁵ God appears to Jacob and allows him to migrate to Egypt. A promise of fertility and a promise of a return then follow, along

61. For recent proposal see Jan C. Gertz, “Abraham, Mose und der Exodus: Beobachtungen zur Redaktionsgeschichte von Gen 15,” in Gertz, Schmid, and Witte, *Abschied vom Jahwisten*, 63–81; see also Konrad Schmid, “The So-Called Yahwist and the Literary Gap between Genesis and Exodus,” in Dozeman and Schmid, *A Farewell to the Yahwist?*, 38 n. 34.

62. See Blum, *Die Komposition der Vätergeschichte*, 309; Schmid, *Genesis and the Moses Story*, 57–58; see also Wolfgang Oswald, “Die Erzeltern als Schutzbürger: Überlegungen zum Thema von Gen 12,10–20 mit Ausblick auf Gen 20; 21,22–34 und Gen 26,” *BN* 106 (2001): 79–89.

63. Blum, *Die Komposition der Vätergeschichte*, 309. See also the references to the predecessors, 309, n. 14; and Ha, *Genesis 15*, 199–200.

64. Carr, “Genesis in Relation to the Moses Story,” 273–95.

65. See Blum, *Die Komposition der Vätergeschichte*, 246.

with the affirmation that Joseph will “close his eyes.” The Joseph story does not otherwise reckon with such direct revelations of God, and Gen 46:1–5a strongly recalls the language and content of the preceding ancestral narratives. Blum has worked out the connections of Gen 46:1–5a to the promises in Gen 31:11, 13; Gen 26:2–3; and Gen 12:1–2.⁶⁶ According to him, Gen 46:1–5 thus includes the Joseph story in the complex of ancestral transmissions and establishes 12–50 as a large “ancestral story.”

Genesis 46:4a (because of the usage of עלה) is often specified as an “anticipatory reference to Exodus.”⁶⁷ However, this understanding is neither required nor suggested by the text. The explicit horizon of Gen 46:1–5a does not extend beyond Gen 50. The sequence of events that 50:3–4 delineate is as follows: YHWH will move with Jacob to Egypt (50:3b, 4a), in order to make him into a great people there (גוי גדול in 50:3b), in order to lead him out again (50:4a),⁶⁸ and Joseph will close his eyes (50:4b). If one matches this anticipatory sequence to the subsequent events, then one does not see beyond the Joseph story. Jacob moves to Egypt in Gen 46:5–7. Genesis 47:27b notes the multiplication of Israel (רבה; פרה), and Gen 50:7–13 specifies the return to Canaan as well as the burial of Jacob by Joseph.

<i>Gen 46:3–4</i>	<i>Themes</i>	<i>Gen 46–50</i>
46:3b, 4a	trek to Egypt	46:5–7
46:3b	becoming a nation	47:27b
46:4a	return	50:7–10
46:4b	Jacob’s burial	50:13

Genesis 46:1–5a only looks forward to the return of Jacob to Canaan in Gen 50, but not to the return of Israel in Exodus–Joshua. However, that

66. See Blum, *Die Komposition der Vätergeschichte*, 246–49, 297–301.

67. See Blum, *Die Komposition der Vätergeschichte*, 247.

68. That the second-person singular suffix should “relate collectively to Israel” (Rainer Kessler, “Die Querverweise im Pentateuch: Überlieferungsgeschichtliche Untersuchung der expliziten Querverbindungen innerhalb des vorpriesterlichen Pentateuchs” [PhD diss., University of Heidelberg, 1972], 164, n. 4; 317 in connection with Gerhard von Rad, *Das erste Buch Mose: Genesis*, 12th ed., ATD 2–4 [Göttingen: Vandenhoeck & Ruprecht, 1987], 352), has little support. Rather, Gunkel correctly noted, “‘I will bring you back’ in the coffin, an announcement of the narrative of Jacob’s burial in Canaan” (*Genesis*, 440; Claus Westermann, *Genesis 37–50*, BKAT 1.3 [Neukirchen-Vluyn: Neukirchener Verlag, 1982], 156, sees it differently).

means that Gen 46:1–5a has been formulated only for the ancestral story encompassing Gen 12–50.⁶⁹

It might be helpful to corroborate this proposal of a late redactional connection between Genesis and Exodus by looking at the very beginning of the book Exodus. It is striking that the statement about Israel becoming a great people does not refer back to the prominent non-Priestly promises of increase at the beginning of the patriarchal narrative (e.g., Gen 12:2; 13:13). The comparison of the promise of descendants to Abraham in Gen 12:2 and the statement of pharaoh in Exod 1:9 illustrates the absence of a clear relationship between the two bodies of literature.

Gen 12:2

And I will make you to a great people [גוי גדול].

Exod 1:9

And he [pharaoh] spoke to his people: Behold, the people [עם] of the children of Israel are more [רב] and mightier [יעצום] than we.

On the other hand, it is all the more remarkable that the connections on the P level are quite close.

Gen 1:28

Be fruitful [פרו], and multiply [ורבו], and fill [ומלאו] the earth [את הארץ].

Gen 9:7

And you, be fruitful [פרו], and multiply [ורבו]; increase abundantly [שרצו] in the earth, and multiply [ורבו] therein.

Gen 17:2

And I will multiply [וארבה] you exceedingly [במאד מאד].

Exod 1:7

And the children of Israel were fruitful [פרו], and increased abundantly

69. This is also assumed in Blum's conception (see *Die Komposition der Vätergeschichte*, 360). Blum, however, differentiates. He believes that "the hearer/reader ... [i.e., for the understanding of Gen 46:1–5a] does not (require) a literary context, but knowledge of the salvation-historical outline to the conquest." Blum has now modified his opinion, see "Die literarische Verbindung," 132–33, n. 63.

[וישרצו], and multiplied [וירבו], and waxed [ויעצמו] exceeding mighty [במאד מאד], and the land [והארץ] was filled [ותמלא] with them.

If the non-Priestly substance of the patriarchal and exodus narratives was really written by the same author, telling parts of one and the same story in Genesis and Exodus, it would be very difficult to explain why he did not correlate the promise to become a great people with its fulfillment, as is done in P. Therefore, it is much more likely that Gen 12:2 and Exod 1:9 belong to different text layers rather than to assume that we have here a J bridge between Genesis and Exodus.

Besides Exod 1 and the P links, explicit references back to Genesis appear especially in the report on the commissioning of Moses in Exod 3 (see Exod 3:6, 13–16). Again, recent discussions have proposed that either the whole chapter or at least these references are post-P, although others have argued to the contrary.⁷⁰ A comparison of Exod 3 with its P counterpart in Exod 6:2–8 reveals some striking features that might support the case for a post-P setting of Exod 3:1–4:17. First, Exod 6:2–8 plays out in Egypt, whereas Exod 3 is located on the mountain of God, that is, holy territory. It is improbable that P would have secondarily profaned the place of Moses's commissioning. Second, Exod 3–4 seems to integrate the problems that arise later on with Moses's mandate secondarily into the call of

70. For the whole chapter, see Eckart Otto, "Die nachpriesterschriftliche Pentateuchredaktion im Buch Exodus," in *Studies in the Book of Exodus: Redaction-Reception-Interpretation*, ed. Marc Vervenne, BETL 126 (Leuven: Peeters, 1996), 61–111; Schmid, *Genesis and the Moses Story*, 172–93. For the explicit references, see Jan C. Gertz, *Tradition und Redaktion in der Exoduserzählung: Untersuchungen zur Endredaktion des Pentateuch*, FRLANT 186 (Göttingen: Vandenhoeck & Ruprecht, 2000), 233–348; Blum, "Die literarische Verbindung"; Thomas Römer, "Exodus 3–4 und die aktuelle Pentateuchdiskussion," in *The Interpretation of Exodus in Honour of Cornelis Houtman*, ed. Riemer Roukema et al., CBET 44 (Leuven: Peeters, 2006), 65–79. For a contrary view, see Thomas B. Dozeman, "The Commission of Moses and the Book of Genesis," in Dozeman and Schmid, *A Farewell to the Yahwist?*, 107–29; John Van Seters, "The Patriarchs and the Exodus: Bridging the Gap between Two Origin Traditions," in Roukema, *Interpretation of Exodus*, 1–15; Hans-Christoph Schmitt, "Erzväter- und Exodusgeschichte als konkurrierende Ursprungslegenden Israels—ein Irrweg der Pentateuchforschung," in Hagedorn and Pfeiffer, *Die Erzväter in der biblischen Tradition*, 241–66; Graham I. Davies, "The Transition from Genesis to Exodus," in *Genesis, Isaiah and Psalms: A Festschrift to Honour Professor John Emerton for His Eightieth Birthday*, ed. Katharine J. Dell, Graham I. Davies, and Yee-Von Koh, VTSup 135 (Leiden: Brill, 2010), 59–78.

Moses itself in the context of P. Exodus 6:9 reports Israel's unwillingness to listen to Moses after he has spoken with the people, and then Moses is to perform the signs before Pharaoh. In Exod 4:1, Moses complains about Israel's disobedience without ever having talked to the people. As a result, Moses receives the power to perform signs in front of his people (4:2–9) already at this point in the narrative, which anticipates the plagues of Egypt. Third, there are some allusions in the wording in Exod 3:7, 9 (see especially the use of the root *צעק*) to P passages, especially Exod 2:24–25, which are difficult to explain in a pre-P setting of Exod 3–4.

To be cautious, Exod 3–4 does not, therefore, rule out the possibility that the literary connection between Genesis and the Moses story is a rather late phenomenon in the redaction history of the Pentateuch. To my mind, this took place in the wake of P, who was the first to formulate the basic narrative blueprint of the Pentateuch.⁷¹

13.7. Conclusions

In current scholarship, it is no longer possible to explain the composition of the book of Genesis from the outset within the framework of the Documentary Hypothesis. While the composite character of the book as such is undeniable, it is by no means clear or even probable that its literary history should be described by the merger of layers that already extended in their earliest forms beyond the boundaries of Genesis, as was supposed for J and E. Rather, the opposite seems to be true. As especially Gunkel and Noth conclude, the legends in Genesis and also their collections into different cycles did not yet include a horizon of events reaching into the book of Exodus or even beyond.

If P was not the first author to combine Genesis and the Moses story, then such a connection seems not to have been established much earlier than P.⁷² In Exod 6:2–3, an undisputed literary cornerstone of P,⁷³ it is still possible to observe the fact that the sequence of Genesis and Exodus was not an obvious or self-evident concept. The same seems to be true for the inclusion of themes from the books of Genesis and Exodus in the prophetic books (see especially Ezek 33:24) or the Psalms.⁷⁴ At least in the

71. See on this esp. de Pury, "P^s as the Absolute Beginning."

72. Kratz, *Composition*, 276, 79; Blum, "Die literarische Verbindung."

73. Schmid, *Genesis and the Moses Story*, 241–42.

74. Schmid, *Genesis and the Moses Story*, 70–80, see, however, differently Schmitt,

older portions of these literary works, there is little evidence suggesting that a literary link between Genesis and Exodus is already in place, as Albert de Pury, Thomas Römer, Reinhard G. Kratz, Jan C. Gertz, Matthias Köckert, Eckart Otto, Jean-Louis Ska, and others have suggested,⁷⁵ following some basic observations made especially by Galling and Noth.⁷⁶

The redaction-historical separation of Genesis and Exodus and the following books before P has wide-reaching consequences for the understanding of the history of religion and theology of the Hebrew Bible that can only be touched in a very preliminary way here. First, it is obvious that this new perspective abandons the thesis so popular in the twentieth century that the religion of ancient Israel is based on salvation history (*Heilsgeschichte*). That such a view can no longer be maintained has become increasingly clear through recent results of literary analyses of the Pentateuch, on the one hand, and the numerous archaeological finds published in recent years, on the other.⁷⁷ The historical religion of Israel looked different than the biblical picture suggests. The polemics of the Deuteronomists are probably closer to the preexilic reality in ancient Israel than the normative-orthodox statements in the Bible that promulgate a

“Erzväter- und Exodusgeschichte als konkurrierende Ursprungslegenden Israels,” 242–45. For Hos 12, which is especially important for Albert de Pury, “Erwägungen zu einem vorexilischen Stämmejehwismus: Hos 12 und die Auseinandersetzung um die Identität Israels und seines Gottes,” in *Ein Gott allein? JHWH-Verehrung und biblischer Monotheismus im Kontext der israelitischen und altorientalischen Religionsgeschichte*, ed. Walter Dietrich and Martin A. Klopfenstein, OBO 139 (Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 1994), 413–39; see now the thorough treatment of Erhard Blum, “Hosea 12 und die Pentateuchüberlieferungen” in Hagedorn and Pfeiffer, *Die Erzväter in der biblischen Tradition*, 318–19, who concludes that Hos 12 presupposes a Jacob story and a Moses story that conceptually belong in a sequence, but it is not possible to determine whether or not they are connected in terms of a literary unit.

75. See Römer, *Israels Väter*; Albert de Pury, “Le cycle de Jacob comme légende autonome des origines d’Israël,” in *Congress Volume Leuven 1989*, ed. John A. Emerton, VTSup 43 (Leiden: Brill, 1991), 78–96; Gertz, *Tradition und Redaktion*, 381–88; Otto “Mose und das Gesetz,” 43–83; Otto, *Das Deuteronomium im Pentateuch*; Otto, *Mose: Geschichte und Legende* (Munich: Beck, 2006); Otto, *Das Gesetz des Mose*; Kratz, *Composition*; Jean-Louis-Ska, *Introduction to Reading the Pentateuch* (Winona Lake, IN: Eisenbrauns, 2006), 196–202; see also Petersen, “Genesis,” 28–30.

76. See n. 1.

77. For an overview see Friedhelm Hartenstein, “Religionsgeschichte Israels—ein Überblick über die Forschung seit 1990,” *VF* 48 (2003): 2–28.

salvation-history-based monotheism. Therefore, the paradigm of a clear discontinuity between ancient Israel, who believed in its God revealing himself in history, and its neighbors, who venerated the cyclically returning phenomena of nature, can no longer be maintained. This paradigm of discontinuity was developed in the wake of Karl Barth's dialectical theology and can be explained as an extrapolation of its basic tenets into the history of ancient Israel's religion. It presupposes that Israel occupies a special place in the ancient Near East from its very beginning. But if Genesis and the Moses story were not interconnected until the late exilic or early Persian period, if there was no early (i.e., Solomonic) or at least monarchic (Josianic) conception of a salvation history that begins with the creation and ends with the conquest of the land, Israel has to be seen in religion-historical conjunction rather than disjunction with its neighboring cultures. The paradigm of discontinuity is not a peculiarity of ancient Israel but rather a characteristic feature of Judaism in the Persian period, which projected its ideals back into the Hebrew Bible.

Over against the assumptions of the Documentary Hypothesis, Genesis and the Moses story in Exodus through Numbers and Deuteronomy stood next to each other as two competing concepts containing two traditions of the origin of Israel with different theological profiles. The different conceptions still remain visible behind the carefully crafted final form of the Pentateuch. Genesis is mainly autochthonous and inclusive, while the Moses story in the following books is allochthonous and exclusive. Of course, such a polar opposition can only serve as a model, but it points, nevertheless, to a basic difference between the two blocks of tradition. To be more precise, the patriarchal narrative constructs a picture of the origin of Israel in its own land—a fact that is especially prominent in the specific formulations of the promises of the land. They do not presuppose that there will be several centuries between promise and fulfillment. At the same time, the patriarchal story is both theologically and politically inclusive: the gods of Canaan can—without any problems—be identified with YHWH, and the patriarchs dwell together with the inhabitants of the land and make treaties with them. In contrast, the story of the exodus stresses Israel's origin abroad in Egypt and puts forward an exclusivist theological argument: YHWH is a jealous god that does not tolerate any other gods besides himself (Exod 20:3–5; 34:14; Deut 5:7–9), and the Israelites shall not make peace with the inhabitants of the land (cf. Exod 23:32–33; 34:12, 15; Deut 12:29–31; 16:21; 20:16–17; 25:19).

The Pentateuch therefore contains both concepts that also serve as arguments in modern discussions: inclusiveness and exclusiveness. However, this important innerbiblical difference regarding how Genesis and the Moses story determine both Israel's origins and its relation to its land and to other nations only becomes fully apparent by means of historical reconstruction. Seen from this perspective, it becomes evident that the Pentateuch is a document of agreement between different positions. Although the debate over this issue continues, its formation seems to be interpreted within the context of Persian imperial policy.⁷⁸ Genesis is mainly a dissenting, but very prominent voice in the Pentateuch. It has been included in the Pentateuch and now constitutes an integral part of it, bearing specific theological importance.

78. See the discussion in James W. Watts, ed., *Persia and Torah: The Theory of Imperial Authorization of the Pentateuch*, SymS 17 (Atlanta: Scholars Press, 2001); and Konrad Schmid, "The Persian Imperial Authorization as Historical Problem and as Biblical Construct: A Plea for Differentiations in the Current Debate," ch. 11 in this volume. For the redactional logic of the formation of the Pentateuch see Ernst Axel Knauf, "Audiatur et Altera Pars: Zur Logik der Pentateuch-Redaktion," *BK* 53 (1998): 118–26.

The Ambivalence of Human Wisdom: Genesis 2–3 as a Sapiential Text

14.1. Wisdom Language and Thought in the Paradise Story

Although scholars have sometimes treated the paradise story in Gen 2–3 as a specimen of wisdom in the Hebrew Bible, most are quite cautious about the connection. It has been accepted for some time that wisdom thinking can be found outside of the classic wisdom texts, such as Job, Proverbs, or Ecclesiastes,¹ particularly in texts such as the Joseph story and in the so-called Succession Narrative.² But is there any relationship between the paradise story and Old Testament wisdom?

This is a translation, revision, and expansion of an earlier essay: Konrad Schmid, “Die Unteilbarkeit der Weisheit: Überlegungen zur sogenannten Paradieserzählung Gen 2f. und ihrer theologischen Tendenz,” ZAW 114 (2002): 21–39.

1. See Bernd Janowski, ed., *Weisheit ausserhalb der kanonischen Weisheitsschriften*, VWGTh 10 (Gütersloh: Gütersloher Verlaghaus, 1996); see also the contributions in John Day, Robert P. Gordon, and H. G. M. Williamson, eds., *Wisdom in Ancient Israel* (Cambridge: Cambridge University Press, 1995); as well as Markus Saur, “Sapientia discursiva: Die alttestamentliche Weisheitsliteratur als theologischer Diskurs,” ZAW 123 (2011): 236–49; Saur, ed., *Die theologische Bedeutung der alttestamentlichen Weisheitsliteratur*, BThSt 125 (Neukirchen-Vluyn: Neukirchener Verlag, 2012); Saur, *Einführung in die alttestamentliche Weisheitsliteratur* (Darmstadt: Wissenschaftliche Buchgesellschaft, 2012).

2. For the Joseph story, see Gerhard von Rad, “The Joseph Narrative and Ancient Wisdom,” in *The Problem of the Hexateuch and Other Essays*, trans. E. W. Trueman Dickens (Edinburgh: Oliver & Boyd, 1966), 292–300; von Rad, “Die Josephsgeschichte,” in *Gottes Wirken in Israel: Vorträge zum Alten Testament*, ed. Odil H. Steck (Neukirchen-Vluyn: Neukirchener Verlag, 1974), 22–41; see the discussion of the history of scholarship in Carolin Paap, *Die Josephsgeschichte Genesis 37–50: Bestimmungen ihrer literarischen Gattung in der zweiten Hälfte des 20. Jahrhunderts*, EHS.T 534

A survey of the secondary literature reveals a considerable number of contributions that address this question and answer in the affirmative: yes, Gen 2–3 bear wisdom's imprint. Noteworthy are the works of A.-M. Dubarle, Alonso Schökel, George Mendenhall, R. Norman Whybray, Franco Festorazzi, Nicolas Wyatt, Joseph Blenkinsopp, David Carr, Beverly Stratton, Karl Jaroš, Hans-Peter Müller, Manfred Görg, Rainer Albertz, Eckart Otto, Markus Witte, Konrad Schmid, Tryggve Mettinger, Tova Forti, Gerda de Villiers, Raul Berzosa Martínez, and Michaela Bauks.³

(Frankfurt am Main: Lang, 1995). On wisdom thinking in the Succession Narrative, see R. Norman Whybray, *The Succession Narrative: A Study of II Samuel 9–20; I Kings 1 and 2*, SBT 2/9 (London: SCM, 1968); see the discussion in Walter Dietrich and Thomas Naumann, *Die Samuelbücher*, EdF 287 (Darmstadt: Wissenschaftliche Buchgesellschaft, 1995), 216–20.

3. A.-M. Dubarle, *Les sages d'Israël*, LD 1 (Paris: Cerf, 1946), 7–24; Luis Alonso Schökel, "Motivos sapienciales y de alianza en Gn 2–3," *Bib* 43 (1962): 295–315; trans. as "Sapiential and Covenant Themes in Genesis 2–3," in *Studies in Ancient Israelite Wisdom*, ed. James L. Crenshaw (New York: KTAV, 1976), 468–80; George E. Mendenhall, "The Shady Side of Wisdom: The Date and Purpose of Genesis 3," in *A Light unto My Path: Old Testament Studies in Honor of Jacob M. Myers*, ed. Howard N. Bream, Ralph D. Heim, and Carey A. Moore (Philadelphia: Temple University Press, 1974), 319–34; R. Norman Whybray, *The Intellectual Tradition in the Old Testament*, BZAW 135 (Berlin: de Gruyter, 1974), 105–6, 154; Franco Festorazzi, "Gen. 1–3 e la sapienza d'Israele," *RivB* 27 (1979): 41–51; Nicolas Wyatt, "Interpreting the Creation and Fall Story in Genesis 2–3," *ZAW* 92 (1981): 10–21; Joseph Blenkinsopp, *The Pentateuch: An Introduction to the First Five Books of the Bible*, ABRL (New York: Doubleday, 1992), 65–67; David M. Carr, "The Politics of Textual Subversion: A Diachronic Perspective on the Garden of Eden Story," *JBL* 112 (1993): 577–95; Carr, however, identifies the conceptual approach of Gen 2–3 as an "anti-wisdom story" (577); Beverly J. Stratton, *Out of Eden: Reading, Rhetoric, and Ideology in Genesis 2–3*, JSOTSup 208 (Sheffield: Sheffield Academic, 1995), 223–50. Also see the note in R. B. Y. Scott, "The Study of the Wisdom Literature," *Int* 24 (1970): 20–45, esp. 35; Karl Jaroš, "Die Motive der Heiligen Bäume und der Schlange in Gen 2–3," *ZAW* 92 (1980): 204–15; Hans-Peter Müller, "Weisheitliche Deutungen der Sterblichkeit: Gen 3,19 und Pred 3,21; 12,7 im Licht antiker Parallelen," in *Mensch–Umwelt–Eigenwelt: Gesammelte Aufsätze zur Weisheit Israels* (Stuttgart: Kohlhammer, 1992), 69–100; see also Müller, "Drei Deutungen des Todes: Genesis 3, der Mythos von Adapa und die Sage von Gilgamesch," *JBTh* 6 (1991): 117–34; Manfred Görg, "Weisheit als Provokation: Religionsgeschichtliche und theologische Aspekte der jahwistischen Sündenfallerzählung," in *Studien zur biblisch-ägyptischen Religionsgeschichte*, SBAB 14 (Stuttgart: Katholisches Bibelwerk, 1992), 73–96; Görg, "Sündenfall," *NBL* 3:742–43; Rainer Albertz, "Ihr werdet sein wie Gott: Gen 3,1–7 auf dem Hintergrund des alttestamentlichen und sumerisch-babylonischen Menschenbildes," *WO* 24 (1993): 89–111; Albertz, "Ihr werdet sein wie Gott"

These discussions point to such central themes as the knowledge of “good and evil” (רע/טוב), the “tree of life” known from the book of Proverbs,⁴ reflection on human mortality and the related dust metaphor,⁵ and motifs like the naming of the animals that recall ancient academic lists. Scholars often focus special attention on the terminology of the narrative, such as the “wise” (ערום)⁶ snake and the desire of the woman “to become wise” (להשכיל), as well as a considerable number of other expressions that

(Gen 3,5),” in *Was ist der Mensch...? Beiträge zur Anthropologie des Alten Testaments*, ed. Frank Crüsemann, Christof Hardmeier, and Rainer Kessler (Gütersloh: Gütersloher Verlaghaus, 1992), 11–27; Eckart Otto, “Die Paradieserzählung Genesis 2–3: Eine nachpriesterschriftliche Lehrerzählung in ihrem religionshistorischen Kontext,” in *“Jedes Ding hat seine Zeit...”: Studien zur israelitischen und altorientalischen Weisheit*, ed. Anja A. Diesel et. al., BZAW 241 (Berlin: de Gruyter, 1996), 167–92; Otto, “Woher weiss der Mensch um Gut und Böse? Philosophische Annäherungen der ägyptischen und biblischen Weisheit an ein Grundproblem der Ethik,” in *Recht und Ethos im Alten Testament: Gestalt und Wirkung: Festschrift für Horst Seebass zum 65. Geburtstag*, ed. Stefan Beyerle, Günter Mayer, and Hans Strauss (Neukirchen-Vluyn: Neukirchener Verlag, 1999), 207–31. Klaus Koenen (“Gerechtigkeit und Gnade: Zu den Möglichkeiten weisheitlicher Lehrerzählungen,” in *Recht–Macht–Gerechtigkeit*, ed. Joachim Mehlhausen, VWGTh 14 [Gütersloh: Gütersloher Verlaghaus, 1998], 274–303, esp. 302–3 n. 117) only marginally mentions Otto’s evaluation of Gen 2–3 as a “didactic narrative,” even though this bears great importance for his topic (“righteousness and favor”). See also Markus Witte, *Die biblische Urgeschichte: Redaktions- und theologiegeschichtliche Beobachtungen*, BZAW 265 (Berlin: de Gruyter, 1998); Tryggve N. D. Mettinger, *The Eden Narrative: A Literary and Religio-Historical Study of Genesis 2–3* (Winona Lake, IN: Eisenbrauns, 2007), 129–30; Tova Forti, “The Polarity of Wisdom and Fear of God in the Eden Narrative and in the Book of Proverbs,” *BN* 149 (2011): 45–57; Gerda de Villiers, “Sin, Suffering, Sagacity: Genesis 2–3,” in *Exile and Suffering: A Selection of Papers Read at the Fiftieth Anniversary Meeting of the Old Testament Society of South Africa OTWSA/OTSSA, Pretoria August 2007*, ed. Bob Becking and Dirk Human, OTS 50 (Leiden: Brill, 2008), 3–17; Raul Berzosa Martínez, “Relectura ‘sapiencial’ de los relatos de creación del Génesis,” *Compostellanum* 56 (2011): 139–64; Michaela Bauks, “Erkenntnis und Leben in Gen 2–3: Zum Wandel eines ursprünglich weisheitlich geprägten Lebensbegriffs,” *ZAW* 127 (2015): 20–42; the discussion of Walter Bührer, *Am Anfang...: Untersuchungen zur Textgenese und zur relative-chronologischen Einordnung von Gen 1–3*, FRLANT 256 (Göttingen: Vandenhoeck & Ruprecht, 2014), 290–305, esp. the bibliography in 290 n. 71 and his own conclusion in 303–4.

4. Prov 3:18; 11:30; 13:12; 15:4 (see Hermann Gunkel, *Genesis: Übersetz und erklärt*, 6th ed., HKAT 1.1 [Göttingen: Vandenhoeck & Ruprecht, 1964], 7).

5. See Müller, “Weisheitliche Deutungen der Sterblichkeit,” 75–76.

6. The Hebrew term in Gen 3:1 alludes to the homonym ערום “naked” in 2:25.

bear the imprint or influence of wisdom traditions. Added to these are the sixteen instances of paronomasia in Gen 2–3.⁷ In my estimation, these data leave no doubt that wisdom language and wisdom thinking play an important role in the paradise story.

14.2. Genesis 2–3 and the Alleged Solomonic Wisdom Traditions

In the mainstream circles of exegesis, however, these kinds of observations regarding the paradise story appear only in footnotes in the scholarly literature well into the 1980s. Interpreters were generally willing to acknowledge wisdom influences on the *content* that the Yahwist received and then edited—but no more than that.⁸

This cautious approach was based in large part on the traditional early date for the Yahwist in the Solomonic period. According to this view, the wisdom imprint of Gen 2–3 could be brought into connection with the “Solomonic enlightenment” proposed by Gerhard von Rad. The supposed connection between the paradise story and the Solomonic enlightenment could also be construed as confirming the Solomonic date of the Yahwist, to whom Gen 2–3 was usually assigned. Caution in accepting such a connection is fully justified. The portrayal of wisdom in Gen 2–3 is extraordinarily complex, and it takes place at a very advanced stage of the biblical discussion about the nature of wisdom. In my view, the conception of wisdom in the paradise story was inconceivable for the Solomonic era.⁹

7. See Otto, “Die Paradieserzählung,” 175 n. 44.

8. See Gerhard von Rad, *Wisdom in Israel*, trans. James D. Martin (London: SCM, 1972), 294–95 n. 9; see also Werner H. Schmidt, *Die Schöpfungsgeschichte der Priesterschrift: Zur Überlieferungsgeschichte von Gen 1,1–2,4a und 2,4b–3,24*, 2nd ed., WMANT 17 (Neukirchen-Vluyn: Neukirchener Verlag, 1967), 229 n. 1; Odil H. Steck, *Die Paradieserzählung: Eine Auslegung von Gen 2,4b–3,24*, BibS(N) 60 (Neukirchen-Vluyn: Neukirchener Verlag, 1970), 64 and n. 115; Schmidt, “Gen 12,1–3 und die Urgeschichte des Jahwisten,” in *Probleme biblischer Theologie*, ed. Hans Walter Wolff (Munich: Kaiser, 1971), 525–54, esp. 552 and n. 72 (for bibliography). An even more cautious evaluation appears in Horst Dietrich Preuss, *Einführung in die alttestamentliche Weisheitsliteratur*, Urban Taschenbücher 383 (Stuttgart: Kohlhammer, 1987), 161.

9. A date in the Solomonic era is still accepted by Manfred Görg, “Die ‘Sünde’ Salomos: Zeitkritische Aspekte der jahwistischen Sündenfallerzählung,” *BN* 16 (1981): 42–59; Knut Holter, “The Serpent in Eden as a Symbol of Israel’s Political Enemies: A Yahwistic Criticism of the Solomonic Foreign Policy,” *SJOT* 4 (1990): 106–12. More recent scholarship instead still dates the text in prepriestly time but places the text not

I give an example here to illustrate this complexity: The book of Kings depicts Solomon as the classic example of a wise king. God appears to Solomon in 1 Kgs 3 and promises to grant him one request. Solomon asks for a “listening heart that can distinguish between good and evil” (3:9). God praises Solomon expressly for this request, fulfilling it for him by giving him a “wise and understanding heart” (לֵב הַכֶּם וְנִבּוֹן, 3:12). Then, on top of that, God gives him riches and fame. In this text, the ability to distinguish between good and evil is the epitome of wisdom. According to the paradise story in Gen 2–3, however, humans remain deprived of this very ability; the tree of the knowledge of good and evil is off limits for them.

As a result of the nature of the traditions presented in 1 Kgs 3 and represented by Prov 10–22, it appears that Gen 2–3 does not belong to the older wisdom traditions. The text can no longer be placed in the “Solomonic enlightenment,” which, in any case, scholars have now abandoned. A new departure in pentateuchal scholarship is needed that will be able to investigate the wisdom thematic in the paradise story without this prejudiced view, and this is the purpose of this essay.¹⁰ Furthermore, more recent studies have begun to solidify the view that the paradise story is a wisdom text. Even though it is naturally influenced by other traditions, it

too far from the time of Gen 1 (see Bühner, *Am Anfang*, 377–81; Holter, “The Relative Dating of the Eden Narrative Gen *2–3,” *VT* 65 [2015]: 365–76), or even later: Otto, “Die Paradieserzählung”; Joseph Blenkinsopp, “A Post-exilic Lay Source in Genesis 1–11,” in *Abschied vom Jahwisten: Die Komposition des Hexateuch in der jüngsten Diskussion*, ed. Jan C. Gertz, Konrad Schmid, and Markus Witte, *BZAW* 315 (Berlin: de Gruyter, 2002), 49–61; Mettinger, *Eden Narrative*, 134–35; and the critical response by Erhard Blum, “Von Gottesunmittelbarkeit zu Gottähnlichkeit: Überlegungen zur theologischen Anthropologie der Paradieserzählung,” in *Textgestalt und Komposition: Exegetische Beiträge zu Tora und Vordere Propheten*, *FAT* 69 (Tübingen, Mohr Siebeck, 2010), 1–19, esp. 6–7.

10. See Thomas Römer, “Zwischen Urkunden, Fragmenten und Ergänzungen: Zum Stand der Pentateuchforschung,” *ZAW* 125 (2013): 2–24; Römer, “Hauptprobleme der gegenwärtigen Pentateuchforschung,” *TZ* 60 (2004): 289–307; Römer, “La formation du Pentateuque: Histoire de la recherche,” in *Introduction à l'Ancien Testament*, ed. Thomas Römer, Jean-Daniel Macchi, and Christophe Nihan, *MdB* 49 (Geneva: Labor et Fides, 2004), 67–84; Thomas B. Dozeman, Konrad Schmid, and Baruch J. Schwartz, eds., *The Pentateuch: International Perspectives on Current Research*, *FAT* 78 (Tübingen: Mohr Siebeck, 2011); Konrad Schmid, *Genesis and the Moses Story: Israel's Dual Origins in the Hebrew Bible*, *Siphut* 3 (Winona Lake, IN: Eisenbrauns, 2010), 7–16, 334–47; Georg Fischer, “Zur Lage der Pentateuchforschung,” *ZAW* 115 (2003): 608–16.

bears the imprint especially of the wisdom tradition. Yet this statement alone does not say enough. What is the position of Gen 2–3 within Old Testament wisdom?¹¹ Which point of view does this text present?¹² As will become clear from what follows, the paradise story argues for the fundamental ambivalence of wisdom. Genesis 2–3 narrates how the human species becomes adult, that is, knowledgeable, at the beginnings of time, explaining at the same time why their achievement of knowledge and wisdom produces a fundamental and inevitable distance from God.

14.3. The Reception History of Genesis 2–3 and Its Domination over the Text's Interpretation

Scholars have noted since the early days of historical-critical interpretation that, after Gen 1, a second creation narrative follows in Gen 2–3. The second is not connected organically to the first, but is only linked to it.¹³ This second creation narrative also belongs to the most well-known and most interpreted texts in the Bible, giving rise to a variegated reception history that has often obscured the message of the biblical narrative itself.¹⁴

11. On the extrabiblical comparisons see Arie van der Kooij, "The Story of Paradise in the Light of Mesopotamian Culture and Literature," in *Genesis, Isaiah and Psalms: A Festschrift to Honour John Emerton for His Eightieth Birthday*, ed. Katherine J. Dell, Graham I. Davies, and Yee Von Koh, VTSup 135 (Leiden: Brill, 2010), 3–22. On the postbiblical reception in Wisdom of Solomon and 4QInstruction see Matthew Goff, "Adam, the Angels and Eternal Life: Genesis 1–3 in the Wisdom of Solomon and 4QInstruction," in *Studies in the Book of Wisdom*, ed. Géza G. Xeravits and József Zsengellér, JSJSup 142 (Leiden: Brill, 2010), 1–21.

12. The narrative extends from Gen 2:4b–3:24 and is a literary unity except for the so-called paradise geography (2:10–15). See Bühner, *Am Anfang*, 261; for a different point of view, see Blum, "Von Gottesunmittelbarkeit zu Gottähnlichkeit," 10. This does not, however, exclude the possibility of growth in the previous oral tradition. See the analysis in Steck, *Die Paradieserzählung*. A strong redaction-historical differentiation appears in Christoph Levin, "Genesis 2–3: A Case of Inner-Biblical Interpretation," in *Re-reading the Scriptures*, FAT 87 (Tübingen: Mohr Siebeck, 2013), 51–64. See the discussion of more recent composition-critical-oriented approaches in Blum, "Von Gottesunmittelbarkeit zu Gottähnlichkeit," 2–6, as well as the synopsis (11).

13. See Holter, "Relative Dating."

14. Konrad Schmid and Christoph Riedweg, eds., *Beyond Eden: The Biblical Story of Paradise and Its Reception History*, FAT 2/34 (Tübingen: Mohr Siebeck, 2008).

The elements from Gen 2–3 that appear prominently in reception-historical memory are: (1) paradise, (2) Adam, (3) Eve, (4) the apple, and (5) the fall into sin. If one looks closely at the biblical text itself, however, the only element present in Gen 2–3 is Eve. I turn now to each of the other elements mentioned above, moving point by point: (1) The term *παράδεισος* “paradise” originates from the Septuagint and is a Persian loanword employed to render “the garden of Eden.” This term does not appear in the Hebrew text of Gen 2–3. (2) Adam is first named in Gen 4:1, while Gen 2–3 speaks only of “the human” (הָאָדָם). In Hebrew the difference between the two is clarified through the use of the definite article before the noun אָדָם. It is not a proper name because proper names do not need the article to function as a determined noun. (3) The identification of the forbidden fruit is not disclosed in the paradise story. Though it is often thought to be an apple, this identification results from the Latin reception of Gen 2–3, which provides a wordplay in the homonyms *malum* (“evil” and “apple”). (4) Finally, the terms *sin* and *fall* do not appear anywhere in Gen 2–3. Biblically speaking, Gen 2–3 provides the conditions for the possibility of sin, while the actual “fall” first takes place in Gen 4, the narrative of Cain’s fratricide of Abel. Genesis 4:7 is the first appearance of “sin” (חַטָּאת) in the narrative of the Hebrew Bible.

14.4. The Narrative Flow of the Paradise Story

The paradise story is not a collection of dogmatic statements, but rather a narrative arrangement whose meaning can only be unlocked within the narrative sequence. It is thus appropriate for the discussion to follow the narrative flow itself.¹⁵

This narrative flow begins with God’s planting of the garden of Eden and the creation of the human to be its gardener. The note that the human will be formed from *עפר* (“dust,” Gen 2:7) indicates that the human is created as mortal from the outset.¹⁶ This observation is worth emphasizing because the interpretation has often arisen that the human was originally

15. Hermann Spieckermann, “Ambivalenzen: Ermöglichte und verwirklichte Schöpfung in Genesis 2f.,” in *Verbindungslinien: Festschrift für Werner H. Schmidt zum 65. Geburtstag*, ed. Axel Graupner (Neukirchen-Vluyn: Neukirchener Verlag, 2000), 363–76; Blum “Von Gottesunmittelbarkeit zu Gottähnlichkeit.”

16. Müller, “Drei Deutungen des Todes.”

immortal and subsequently lost immortality as a result of the fall. Another problem with this interpretation appears in the threat of punishment in Gen 2:17, which takes the conventional form of a legal rule imposing the death penalty (and not the punishment of mortality).¹⁷ Furthermore, in Gen 3:19b mortality does not appear as a punishment against the humans; it is instead presupposed by the punishment.¹⁸

Two trees stand in the middle of this garden, the tree of life and the tree of the knowledge of good and evil. The purpose of the tree of life is revealed in Gen 3:24: whoever eats from it will live forever. But what is the meaning of “knowledge of good and evil?” The sexual interpretation for this text occasionally mentioned—fed by the knowledge terminology and the scene of the fig leaves and its thematic focus of nakedness and shame—should be rejected as strongly as possible. This text does not employ the terminology for “knowledge” (דעת) alone, which can indeed carry sexual connotations. It instead concerns “the knowledge of good and evil” (הדעת טוב ורע, Gen 2:9). The sexual aspect plays a minimal role, insofar as the question of human reproduction is not settled before the fall. However, the further development of the narrative shows clearly that human reproduction can take place as a consequence of the “knowledge of good and evil”—to the degree that it is “good” to have offspring. However, this does not indicate that reproduction directly results from the acquisition of this knowledge. The divine declaration in Gen 3:22 that the human has now become like God in that it knows good and evil (הן האדם היה כאחד ממנו לדעת טוב ורע) does not refer to human sexuality in any way.

Further evidence for the knowledge of good and evil in the Hebrew Bible speaks against a sexual interpretation (especially noteworthy are Deut 1:39–40; 1Q7 [1QSam] I, 10–11; and 2 Sam 19:36). These texts show instead that “knowledge of good and evil” indicates a differentiation between life-supporting and life-damaging knowledge, which, as Deut 1:39–40 and 1Q7 I, 10–11 demonstrate, is especially characteristic of adults. Children do not yet possess this knowledge, and the aged no longer retain it (see 2 Sam 19:36). It should be emphasized that the

17. The specific formulation in 2:17, מות תמות instead of מות יותת, arises on account of the context: God is the one depicted as carrying out the capital punishment (see Gen 20:6–7; Num 26:65; Judg 3:22; Ezek 3:18). Contrast Blum, “Von Gottesunmittelbarkeit zu Gottähnlichkeit,” 15–16.

18. See Bührer, *Am Anfang*, 221 n. 256.

knowledge of good and evil does not concern something—of whatever sort—that is avoidable for humans. It is instead a human trait that every adult human relies on each and every day. One can affirm the first sentence from von Rad's *Weisheit in Israel*: “No one would be able to live even for a single day without incurring appreciable harm if he could not be guided by wide practical experience.”¹⁹ This is the nature of the knowledge of good and evil.²⁰

Returning to the Genesis narrative, God then provides instruction with regard to the trees of the garden.²¹ The human may eat from all trees, except for the tree of the knowledge of good and evil: “But of the tree of the knowledge of good and evil you must not eat, for in the day that you eat of it, you will surely die.”

This means that, until this moment, enjoyment of the tree of life was still permitted. By eating of the tree of life, the human could attain immortality. This demonstrates that the paradise story does not treat the loss of an original immortality, but rather the missed opportunity to attain immortality.²²

Through the mediation of the snake and the woman created from the human, the human decides instead to eat from the tree of knowledge. The preceding conversation between the snake and the woman is therefore of great import for understanding the narrative as a whole. The woman answers the snake's provocations as follows:

From the fruit of the trees of the garden we may eat, but from the fruit of the tree²³ *located in the middle of the garden*, God said, “Do not eat from it and *do not touch it*, so that you do not die.” (Gen 2b–3, translation and emphasis added)

19. Von Rad, *Wisdom in Israel*, 3.

20. See Bauks, “Erkenntnis,” 22.

21. Michaela Bauks, “Sacred Trees in the Garden of Eden and Their Ancient Near Eastern Precursors,” *JAJ* 3 (2012): 269–303; Bauks, “Der Garten in Eden und seine Baume: Ein Beitrag zur Botanik aus Sicht der biblischen Symbolsprache,” in *Zur Kulturgeschichte der Botanik*, ed. Michaela Bauks and Michael F. Meyer, AKA-Einzelschriften 8 (Tier: WVT, 2013), 37–71; Bauks, “Erkenntnis,” 23, unconvincingly identifies the two trees in the middle of the garden.

22. James Barr, *The Garden of Eden and the Hope of Immortality* (Minneapolis: Fortress, 1993); Mettinger, *Eden Narrative*, 99–122.

23. The Hebrew word *py* is a collective noun and can also mean “wood.”

The woman recounts God's original prohibition (Gen 2:17) in a more restrictive form: that one should not *touch* the fruit was not a part of God's command. The intensification of the prohibition indicates, in the first place, that the woman should be seen as especially careful. She in no way intends to transgress God's prohibition.²⁴ The woman's behavior even seems to foreshadow the later mishnaic provision of "making a fence around the Torah" (Pirke Avot 1:1). One may ask how the woman came to know about the prohibition of Gen 2:17, as she had not yet been created at that time. The narrative is apparently formulated in an elliptic way. It tacitly assumes that man and woman had talked about the prohibition so that the woman knew about it.

Second—and this is decisive—the woman no longer relates the prohibition to the tree of the knowledge of good and evil, which was explicitly the case in Gen 2:17. She instead relates the prohibition to the tree (עץ *'ēṣ* is a collective plural and does not necessarily denote a single tree) *in the middle of the garden*—the tree of life. But according to Gen 2:9, *two* trees, the tree of life *and* the tree of the knowledge of good and evil, are located there.

Based on the fact that the woman relates God's command to the tree of life, one can infer that the humans did not eat from the permitted tree of life, nor would they eat from it in the future. Therefore, the possibility existing in the beginning—that the human might attain immortality rather than the knowledge of good and evil—is proved to be only an apparent possibility. Immortal life in paradise was not, in fact, a true alternative to the so-called fall. As a result of pure caution, the first human couple never eat from the tree of life. Had they never eaten from the tree of the knowledge of good and evil, the experiment of humanity would have ended with the death of the childlike first pair, who, because of their child-likeness, would also have remained without progeny: children do not procreate.

The humans do, however, eat from the tree of knowledge and attain the ability to distinguish between "good and evil." The transgression of the prohibition is not connected here with the concept of sin. The Hebrew term for sin appears first in the context of the fratricide of Abel in Gen 4:7: חַטָּאת. The so-called fall does not yet, biblically speaking, bring sin into the world. It instead provides the necessary condition of responsibility, namely, the ability to recognize good and evil. The murder of Abel is there-

24. Differently R. Walter L. Moberly, "Did the Serpent Get It Right?," *JTS* 39 (1988): 1–27.

fore the first actual “fall,” which also contains the appropriate terminology (Gen 4:7, לפתח חטאת רבץ).

Also noteworthy in Gen 3:1–6 is the narrative presentation of the woman’s motivation for taking the fruit. In Gen 3:6, the prospect presented by the snake in Gen 3:5, namely, that the humans would become like God (באלהים), disappears without mention. The discourse mentions only that the woman desires to “become wise” (השכיל)—a classic wisdom term. The hubristic interpretation of Gen 2–3 therefore has little textual support: The woman does not eat from the tree of knowledge with the intent of elevating humanity above God; she does not desire to take God’s place. Rather, she desires to attain wisdom and knowledge.²⁵

14.5. Conclusion

The paradise story revolves around an original withdrawal from, and then successful acquisition of, practical knowledge that is necessary for human life. It is true that the narrative presents the acquisition of this knowledge as a result of transgressing a divine command. Nevertheless, the theological scope of the narrative does not emphasize God’s intent to deprive the human of the faculty of knowledge; rather, it emphasizes that such knowledge itself is experienced as ambivalent. For this reason, the author of Gen 2–3 portrays knowledge as resulting in distance from God.

At the end of the narrative, there is no doubt that the human attained the knowledge of good and evil. This is stated in the divine speech of Gen 3:22, which is formulated in the perfect tense: “See, the human *has become* like one of us in that he knows good and evil!” This declaration has repeatedly caused consternation among interpreters. Many earlier scholars understood the plural “like us” in 3:22 as a reference to the angels, denying that this phrase refers to the divinity of the humans. Others, like Luther, interpreted the expression ironically: “Est sarcasmus et acerbissima irri-

25. See Thomas Krüger, “Sündenfall? Überlegungen zur theologischen Bedeutung der Paradiesgeschichte,” in *Das menschliche Herz und die Weisung Gottes: Studien zur alttestamentlichen Anthropologie und Ethik*, ATANT 96 (Zurich: TVZ, 2009), 33–46; see also Carol Newsom, “Gen 2–3 and 1 Enoch 6–16: Two Myths of Origins and Their Ethical Implications,” in *Shaking Heaven and Earth: Essays in Honor of Walter Brueggemann and Charles B. Cousar*, ed. Christine Roy Yoder et al. (Louisville: Westminster John Knox, 2005), 11.

sio” (“it is bitter mockery and sarcasm”).²⁶ Nevertheless, the text itself is clear: the human acquires special knowledge, and through this knowledge becomes divine. It should be noted that Gen 2–3 does not speak of a delusional and hubristic human desire to become like God. Rather, through the knowledge of good and evil, the human attains the state of having become like God.

As such, the paradise story is a myth of adolescence that applies to the species of humanity as a whole. It reports how humanity develops into bearers of responsibility as a result of its attainment of knowledge—with all the connected ambivalence.²⁷

This attainment of practical knowledge carries within itself the consequence that the human must be cast out of paradise so that humans can no longer eat from the tree of life. If humans were to do so, they would become completely like God—both knowledgeable *and* immortal. Therefore, the human is cut off from God’s presence and banished from Eden.

The paradise story, then, does not portray the loss of an unambiguously positive primordial condition that leads to a negative condition that endures into the present. The path is instead from one ambivalent situation to another.²⁸ The details of the life of the first humans in the garden of Eden are omitted entirely by design. The only circumstantial clause appears in Gen 2:25: “and they both were naked, the human and his wife, and they were not ashamed before each other.” This clause serves primarily as preparation for Gen 3:7, where the humans recognize their nakedness after the so-called fall. While the supralapsarian human was close to God, he did not possess the knowledge of good and evil. The human had neither eaten from the tree of life nor discovered sexuality as a medium for reproduction (Gen 2:25). The infralapsarian human must now live at a distance from God, but humans are nonetheless able to procreate (Gen

26. Martin Luther, *Vorlesungen über 1. Mose von 1535–45*, ed. J. Karl F. Knaake, Weimarer Ausgabe 42 (Weimar: Bohlau, 1911), 166, line 13.

27. See esp. Blum, “Von Gottesunmittelbarkeit zu Gottähnlichkeit,” 15. See also Newsom, “Gen 2–3 and 1 Enoch 6–16,” 18.

28. See Spieckermann, “Ambivalenzen”; Friedhelm Hartenstein, “‘Und sie erkannten, dass sie nackt waren...’ (Gen 3,7): Beobachtungen zur Anthropologie der Paradieserzählung,” *EvT* 65 (2005): 277–93, esp. 292–93; Paul Kübel, *Metamorphosen der Paradieserzählung*, OBO 231 (Fribourg: Academic Press; Göttingen: Vandenhoeck & Ruprecht, 2007), 157–62; Krüger, “Sündenfall?”

4:1, 17, 25, etc.) and to carry out cultural achievements such as agriculture, crafts, music, and art (Gen 4:17–24).

The point of the paradise story is to explain why there is an insoluble connection between humans and God, even though humans conduct their lives independently by continually distinguishing between good and evil and exist at a substantial distance from God. There is no way back to the primordial condition in paradise. For one, the acquired knowledge cannot simply be forgotten. Second, according to the depiction in Gen 2–3, an angel stands guard with a flaming sword to keep paradise locked forever. Within the framework of the Pentateuch, Gen 2–3 represents a completely noneschatological position. Only beginning with texts from the prophetic corpus like Isa 11:6–9 or Isa 65–66 is a return to primordial circumstances offered as a possible ideal.

Loss of Immortality? Hermeneutical Aspects of Genesis 2–3 and Its Early Receptions

15.1. Introduction: The Loss of Immortality as a Receptional Dimension of Genesis 2–3

Especially within the Christian tradition, there is a widespread notion that the first humans were created to be immortal, making physical death the bitter consequence of human sin. For example, the first canon of the Council of Carthage from 418 CE states:

If any man says that Adam, the first man, was created mortal, so that whether he sinned or not he would have died, not as the wages of sin, but through the necessity of nature, let him be *anathema*.¹

The Protestant teachings differ little from this position. From the Reformation period up to the present time, there is a common, often implicit assumption in confessions and in doctrinal literature that humankind was created immortal, after which death entered the world through sin.² However, there are also some newer approaches that see death as a natural part

1. Josef Neuner and Heinrich Roos, *The Teaching of the Catholic Church as Contained in Her Documents* (Staten Island: Alba House, 1967), 338; Heinrich Denzinger, *The Sources of Catholic Dogma* (St. Louis: Herder, 1957), 222.

2. See Heinrich Schmid, *Die Dogmatik der evangelisch-lutherischen Kirche, dargestellt und aus den Quellen belegt*, 10th ed. (Gütersloh: Mohn, 1983), 150–51, 156; Karl Barth, *Die Lehre von der Schöpfung*, vol. 3.2 of *Die Kirchliche Dogmatik* (Zurich: Zollikon-Zürich Evangelischer Verlag, 1948), 729; see also Wolfhart Pannenberg, *Systematische Theologie*, vol. 2 (Göttingen: Vandenhoeck & Ruprecht, 1992), 306; Ansgar

of creation, while death only becomes a frightening and threatening element under the influence of sin.³

The Jewish tradition seems ambiguous as well. There is a remarkable strand of thought in the rabbinic tradition holding to the idea that human-kind was mortal from the beginning, so sin does not cause death in general but *early* death.⁴ Adam, for example, is said to have been appointed a life span of a thousand years, which is equal to one of the Lord's days. But since he made a gift of seventy years to David, he died at the age of 930, as can be read in Gen 5:5.⁵

Nevertheless, the rabbinic tradition also emphasizes the notion that there would be no death without sin,⁶ which on the other hand implies the existence of the possibility for the righteous ones to enter paradise alive and to continue living there forever. This status is attributed to Enoch, Bithiah, the daughter of pharaoh, Hiram, the king of Tyre, Eliezer, Abraham's servant, Elijah, Jonadab the Rechabite and others.⁷ Pesiqta Rabbati 42:1 states explicitly:

When God created Adam He created him so that he might live forever like the ministering angels [as it is written] And God said, "Behold man has become like one of us," just as the ministering angels do not die, so he will not know the taste of death.... But since he did not abide by His commandments, death was consequently decreed for him.⁸

In the apocalyptic tradition, a similar statement can be found in 1 En. 69.11, a text from the so-called Similitudes that is hard to date but likely belongs to the first or second century CE:⁹

Ahlbrecht, *Tod und Unsterblichkeit in der evangelischen Theologie der Gegenwart* (Paderborn: Bonifacius, 1964).

3. See Eberhard Stock, "Tod," *TRE* 33:614–19, with reference to Wilfried Härle, *Dogmatik* (Berlin: de Gruyter, 1995), 488.

4. Louis Ginzberg, *The Legends of the Jews*, 5 vols. (Philadelphia: Jewish Publication Society of America, 1953), 5:129–30. See also Str-B 3:227–29.

5. Ginzberg, *Legends* 1:61.

6. Ginzberg, *Legends* 5:129–30; Str-B 3:228–29.

7. See the discussion in Ginzberg, *Legends* 5:95–96.

8. See James L. Kugel, *The Bible as It Was*, 5th ed. (Cambridge: Harvard University Press, 2001), 71.

9. See Siegbert Uhlig, *Das Äthiopische Henochbuch*, JSHRZ 5.6 (Gütersloh: Mohn, 1984), 474. Unless otherwise noted, all translations are mine.

For men were created exactly like the angels, to the intent that they should continue pure and righteous, and death, which destroys everything, could not have taken hold of them, but through their knowledge they are perishing.

The midrash Gen. Rab. 12:6 counts immortality among Adam's original, but later forfeited qualities:

R. Yudan in the name of R. Abun: The [missing] six [that is, the numerical value of the *vav*] correspond to six things that were taken away from the first man, and these are they: his splendor, his immortal life, his stature, the fruit of the earth, the fruit of the tree, and the primordial lights.¹⁰

This interpretation is still accepted among modern interpreters for Gen 2–3 such as Karl Budde, Johannes Meinhold, Klaus Koch, Jan Gertz, Erhard Blum, and André LaCocque,¹¹ to name just a few, who all together hold that the first humans were created immortal. However, such an interpretation is hardly possible.¹²

10. Jacob Neusner, ed., *Genesis Rabbah: The Judaic Commentary to the Book of Genesis; A New Translation*, vol. 1, BJS 104 (Atlanta: Scholars Press, 1985), 124.

11. Karl Budde, *Die biblische Urgeschichte (Gen 1–12,5)* (Giessen: Ricker, 1883), 23; Johannes Meinhold, “Die Erzählung vom Paradies und Sündenfall,” in *Beiträge zur alttestamentlichen Wissenschaft: Karl Budde zum siebenzigsten Geburtstag am 13. April 1920 überreicht von Freunden und Schülern*, ed. Karl Marti, BZAW 34 (Giessen: Töpelmann, 1920), 128; Klaus Koch, “‘Adam, was hast du getan?’ Erkenntnis und Fall in der zwischentestamentlichen Literatur,” in *Glaube und Toleranz: Das theologische Erbe der Aufklärung*, ed. Trutz Rendtorff (Gütersloh: Mohn, 1982), 213; Jan C. Gertz, “Von Adam zu Enosch: Überlegungen zur Entstehungsgeschichte von Genesis 2–4,” in *Gott und Mensch im Dialog. Festschrift für Otto Kaiser zum 80. Geburtstag*, ed. Markus Witte, BZAW 345.1 (Berlin: de Gruyter, 2004), 230–31 and n. 42; Erhard Blum, “Von Gottesunmittelbarkeit zu Gottähnlichkeit: Überlegungen zur theologischen Anthropologie der Paradieserzählung,” in *Gottes Nähe im Alten Testament*, ed. Gönke Eberhardt and Kathrin Liess, SBS 202 (Stuttgart: Katholisches Bibelwerk, 2004), 9–29, esp. 22–26; André LaCocque, *The Trial of Innocence: Adam, Eve, and the Yahwist* (Eugene, OR: Cascade, 2006), 100–101.

12. As the majority of scholars seem to hold, see, e.g., Benno Jacob, *Das erste Buch der Tora: Genesis* (New York: Schocken, 1934), 121; Odil H. Steck, *Die Paradieserzählung: Eine Auslegung von Gen 2,4b–3,24*, BibS(N) 60 (Neukirchen-Vluyn: Neukirchener Verlag, 1970), 103; Hans Walter Wolff, *Anthropology of the Old Testament*, trans. Margaret Kohl (Philadelphia: Fortress, 1974), 99; Christoph Dohmen, *Schöpfung und Tod: Die Entfaltung theologischer und anthropologischer Konzeptionen*

15.2. A Look Behind the Scene:

Was Humanity Created to Be Immortal according to Genesis 2?

When approaching this question, it is helpful to provide some preliminary clarifications in order to contextualize the theme of mortality or immortality within the overall story of Gen 2–3. The biblical paradise story is one of the foundational texts of Western culture. It is perhaps one of the best known texts in world literature. The popularity of this text contrasts sharply with our inability to understand it properly. The most commonly known elements associated with this text in a popular perspective—for example Adam, the original sin and the apple—are not really central to it.¹³

Yet these kinds of problems created by reception history are neither the most troubling nor the most important ones for understanding Gen 2–3. The whole story line of Gen 2–3 has been obscured by its huge and admittedly rich reception history.¹⁴ Since especially Paul and Augustine of

in *Gen 2/3*, 2nd ed., SBB 17 (Stuttgart: Katholisches Bibelwerk, 1996), 295 and 295 n. 216, with bibliography. For general questions concerning this topic see George W. E. Nickelsburg, *Resurrection, Immortality and Eternal Life in Intertestamental Judaism*, HTS 26 (Cambridge: Harvard University Press, 1972); John R. Levison, *Portraits of Adam in Early Judaism: From Sirach to 2 Baruch*, JSPSup 1 (Sheffield: JSOT Press, 1988); Dexter E. Callender Jr., *Adam in Myth and History: Ancient Israelite Perspectives on the Primal Human*, HSS 48 (Winona Lake, IN: Eisenbrauns, 2000); Casey D. Elledge, *Life after Death in Early Judaism: The Evidence of Josephus*, WUNT 2/208 (Tübingen: Mohr Siebeck, 2006). As for the Qumran literature see E. Glickler Chazon, “The Creation and Fall of Adam in the Dead Sea Scrolls,” in *The Book of Genesis in Jewish and Oriental Christian Interpretation: A Collection of Essays*, ed. Judith Frishman Lucas van Rompay, *Traditio Exegetica Graeca* 5 (Leuven: Peeters, 1997), 13–24.

13. For further discussion, see Konrad Schmid, “The Ambivalence of Human Wisdom: Genesis 2–3 as a Sapiential Text,” ch. 14 in this volume. For identifications in the Jewish tradition (fig, grape, *etrog* [citron], nut) see Ginzberg, *Legends*, 5:97.

14. See Gerard P. Luttikhuisen, ed., *Paradise Interpreted: Representations of Biblical Paradise in Judaism and Christianity*, TBN, Jewish and Christian Traditions 2 (Leiden: Brill, 1999); Jacques T. A. G. M. van Ruiten, “Biblical Interpretation in Jubilees 3:1–31,” in “*Lasset uns Brücken bauen...*”: *Collected Communications to the XVth Congress of the International Organization for the Study of the Old Testament*, Cambridge 1995, ed. Klaus-Dietrich Schunck and Matthias Augustin, BEATAJ 42 (Frankfurt am Main: Lang, 1998), 315–19; Peter Nagel, “Die Auslegung der Paradieserzählung in der Gnosis,” in *Altes Testament–Frühjudentum–Gnosis: Neue Studien zu “Gnosis und Bibel,”* ed. Karl-Wolfgang Tröger (Gütersloh: Mohn, 1980), 49–70; Martin Metzger, *Die Paradieserzählung: Die Geschichte ihrer Auslegung von J. Clericus bis W. M. L. de*

Hippo, it has become commonplace to subscribe to the fall of humankind from a glorious primitive state into the deplorable present state of sin. Of course the events in the garden are clearly depicted as the transgression of a given prohibition and a successive punishment, so there is a very basic element of decline that cannot be denied. Nevertheless, the biblical story of paradise is much more ambiguous about the relationship between the primitive state and the present state of humankind. A small booklet by James Barr from 1993 and a 2000 article by Hermann Spieckermann, entitled with just the word “ambivalences,” have poignantly drawn attention to the fact that the story line of Gen 2–3 does not simply lead from a glorious situation to a deficient one, but from one ambivalent status to another.¹⁵

This contribution cannot go into the details of the biblical text;¹⁶ however, this much should be obvious for any reader—besides all admitted multiperspectivity and ambiguity: Gen 2–3 is organized thematically as a large chiasm. The situation before the fall contrasts the situation after the fall in an inverted manner. Before the fall the humans were close to God, even familiar with him, but deprived of any knowledge. After the fall they are expelled from the immediate vicinity of God, but they have gained the knowledge of good and evil. Hermeneutically speaking, the paradise story deals with the common human experience that applying their own reasoning to life necessarily creates distance between humankind and God.

It is therefore helpful to see that, biblically understood, the knowledge of good and evil is not a hybrid or sinful wish on the part of the human beings to take God's place. King Solomon, for example, is praised

Wette, *Abhandlungen zur Philosophie, Psychologie und Pädagogik* 16 (Bonn: Bouvier, 1959); Wolfgang Trillhaas, “Felix culpa: Zur Deutung der Geschichte vom Sündenfall bei Hegel,” in *Probleme biblischer Theologie: Gerhard von Rad zum 70. Geburtstag*, ed. Hans Walter Wolff (Neukirchen-Vluyn: Neukirchener Verlag, 1971), 589–602; Heinrich Köster, *Urstand, Fall und Erbsünde: Von der Reformation bis zur Gegenwart*, vol. 2.3c in *Handbuch der Dogmengeschichte*, ed. M. Schmaus et al. (Freiburg in Breisgau: Herder, 1982).

15. James Barr, *The Garden of Eden and the Hope of Immortality* (Minneapolis: Fortress, 1993); Hermann Spieckermann, “Ambivalenzen: Ermöglichte und verwirklichte Schöpfung in Genesis 2f,” in *Verbindungslinien: Festschrift für Werner H. Schmidt zum 65. Geburtstag*, ed. Axel Graupner (Neukirchen-Vluyn: Neukirchener Verlag 2000), 363–76. For some Jewish approaches in that direction see Roland Gradwohl, *Bibelauslegungen aus jüdischen Quellen*, 3rd ed., (Stuttgart: Calwer, 2002), 1:49–51.

16. See for a more detailed treatment Konrad Schmid, “The Ambivalence of Human Wisdom: Genesis 2–3 as a Sapiential Text,” ch. 14 in this volume.

by God in 1 Kgs 3 for having chosen for himself an “understanding mind to govern your people, able to discern between good and evil” (1 Kgs 3:9).

Rather, “knowledge of good and evil” means the capacity and necessity to make reasonable and responsible decisions, which is an everyday task for every mature human being. Little children do not yet have the knowledge of good and evil:

Deut 1:39: And as for your little ones, ... your children, who today do not yet know good from evil.

Likewise elderly men no longer have the knowledge of good and evil:

2 Sam 19:36: Today I [Barzillai] am eighty years old; how can I still discern what is good and what is evil?

Instead, every grown-up has this knowledge:

1QSa I, 10–11: when he has reached twenty years, when he knows about good and evil.

Genesis 2–3 apparently interprets this basic human ability as a theologically relevant element that necessarily entails a fundamental distance from God rather than as something that needs to (or even could) be avoided.

In doing so, Gen 2–3 merely strives to understand how this situation came about. It is hard to detect any narrative elements that idealize the life in paradise. There is just one sentence—not more—describing ordinary human life before the fall, and this sentence is Gen 2:25:

And the man and his wife were both naked and were not ashamed.

We do not even know for sure that this is a positive statement. In the historical context of Gen 2:25, is it more decent to be dressed or to be undressed?¹⁷ At any rate, we should be cautious about applauding the nakedness from a modern, neoromantic stance. Be this as it may, the narrative reason why

17. See Friedhelm Hartenstein, “‘Und sie erkannten, dass sie nackt waren...’ (Gen 3,7): Beobachtungen zur Anthropologie der Paradieserzählung,” *EvT* 65 (2005): 277–93.

this is said is the fact that seven verses later the man and his wife notice their nakedness and try to hide it:

Gen 3:7: Then the eyes of both were opened, and they knew that they were naked; and they sewed fig leaves together and made loincloths for themselves.

What about the topic of immortality within the overall story line of Gen 2–3? At first glance, the traditional notion of an original immortality lost after the fall would fit perfectly into this chiastic arrangement of the paradise story. This would be one more element contrasting the situations before the fall and after the fall. In addition, God's threat in 2:17 "you shall surely die" would be fulfilled within the narrative. Humankind, after its fall, has to die. Since God is not a liar, he accomplishes what he announces.

But upon further review, there are far too many problems for such a thesis of an original human immortality in Gen 2–3 to be maintained.¹⁸ First, Gen 2:7 states: "YHWH God formed man from the dust of the ground." Dust in the Hebrew Bible functions clearly as a metaphor for transience, for mortality.¹⁹

Second, in the punishment declarations in Gen 3:14–19, there is only one instance where the topic of death reappears, in 3:19. However, this verse does not claim that humankind must die from now on in contrast to the prior situation. Death is not mentioned among the elements of punishment themselves; it only appears in the second of the two כִּי sentences providing a further explanation of the preceding statement.

Gen 3:19: By the sweat of your face you shall eat bread until you return to the ground, for [כִּי] out of it you were taken; for [כִּי] *you are dust, and to dust you shall return.*

Third, the formulation of Gen 3:22b would be surprisingly odd:

18. See already the objections made by Hermann Gunkel, *Genesis: Übersetzt und erklärt*, 8th ed., HKAT 1.1 (Göttingen: Vandenhoeck & Ruprecht, 1969), 10; see also Nahum Sarna, *Genesis* (Philadelphia: Jewish Publication Society 1989), 18–19.

19. See, e.g., Qoh 3:20; 12:7 and the discussion in Hans-Peter Müller, "Weisheitliche Deutungen der Sterblichkeit: Gen 3,19 und Pred 3,21: 12,7 im Lichte antiker Parallelen," in *Mensch–Umwelt–Eigenwelt: Gesammelte Aufsätze zur Weisheit Israels* (Stuttgart: Kohlhammer, 1992), 73–85.

Then YHWH God said, “See, the man has become like one of us, knowing good and evil; and now, he might reach out his hand and take also from the tree of life, and eat, and live for ever.”

This sentence apparently does not reckon with the possibility that the human beings could again become immortal after having lost their original immortality a short while earlier. Rather, the prohibition of the tree of life is now mandatory because after the humans have gained knowledge, immortality is the main element that continues very clearly to distinguish God from humans.

Fourth, it has often been observed that 2:17 is formulated similarly to a legal rule involving the death penalty:²⁰

Of the tree of the knowledge of good and evil you shall not eat, for in the day that you eat of it you *shall surely die* [מות תמות].

The commentaries often have drawn attention to the so-called מות יומת sentences for capital crimes in the Covenant Code in Exod 21–23.

Exod 21:15–17: Whoever strikes father or mother *shall surely be put do death* [מות יומת]. Whoever kidnaps a person, whether that person has been sold or is still held in possession, *shall surely be put do death* [מות יומת]. Whoever curses father or mother *shall surely be put to death* [מות יומת].

There are, however, two noteworthy dissimilarities. Genesis 2:27 is formulated in the second person and in active voice, “you shall surely die.” Exodus 21:15 is in the third person and the passive voice: “he shall surely be put do death.” But this can be easily explained. The change in person is due to the narrative situation in Gen 2, and the active voice arises because there is no legal system in Gen 2 to execute punishments besides God himself. A look into similar passages where the expression “you *shall surely*

20. See Eckart Otto, “Die Paradieserzählung Gen 2–3: Eine nachpriesterschriftliche Lehrerzählung in ihrem religionshistorischen Kontext,” in “*Jedes Ding hat seine Zeit...*”: Studien zur israelitischen und altorientalischen Weisheit, ed. Anja A. Diesel et al., BZAW 241 (Berlin: de Gruyter, 1996), 181. Symmachus and some other Greek and Latin manuscripts interpret the latter part of the verse: *thnētos esē/mortalis eris* “you shall be mortal” (John W. Wevers, ed., *Genesis*, SVTG 1 [Göttingen: Vandenhoeck & Ruprecht, 1974], 86; see Kugel, *Bible*, 70).

die” (מות תמות) is used in the Hebrew Bible corroborates this point. In almost all instances, מות תמות describes a capital punishment executed by God himself and immediately, as, for example, in Gen 20:6–7:

Then God said to [Abimelech of Gerar] in the dream, “...Now then, return the man’s wife [i.e., Sarah to Abraham].... But if you do not restore her, know that *you shall surely die* [מות תמות], you and all that are yours.”

Or in Num 26:65 it is said of the rebellious exodus generation:

For YHWH had said of them, “*They shall surely die* [מות ימתו] in the wilderness.” And there was not left a man of them, save Caleb the son of Jephunneh, and Joshua the son of Nun.

In Judg 13:22 Manoah tells his wife:

We shall surely die [מות נמות], because we have seen God.

In Ezek 3:18 God speaks directly to the prophet:

If I say to the wicked, “*You shall surely die*” [מות תמות], and you give them no warning, and do not speak to warn the wicked from their wicked way, in order to save their life, those wicked persons shall die for their iniquity; but their blood I will require at your hand.

Finally, in 2 Kgs 1:16 Elijah tells King Ahaziah:

Thus says the Lord: “Because you have sent messengers to inquire of Baal-zebub, the god of Ekron—is it because there is no God in Israel to inquire of his word?—therefore you shall not leave the bed to which you have gone, but *you shall surely die* [מות תמות].”²¹

Fifth, as Arvi Kapelrud noticed some time ago, the ancient Near Eastern parallel texts for the motif of immortality, such as Gilgamesh and Adapa, show a similar pattern: “man is deprived of his possibility of attaining everlasting

21. As the description of the conflict between Ahimelech and King Saul shows, the formula מות תמות may have been an ancient privilege to the king before it was interpreted theologically and transferred to the realm of God: 1 Sam 22:16: “The king said, ‘*You shall surely die*, Ahimelech, you and all your father’s house.’”

life by unexpected forces,”²² in Gilgamesh even in the form of a serpent. The loss of the chance to become immortal, and not the loss of an original immortality, is a traditional element in ancient Near Eastern mythology.

Therefore, the following conclusion is unavoidable for the historical interpretation of Gen 2–3: Death was thought to be an integral part of human life from the very beginning of creation. There was, however, a virtual chance to attain immortality by eating from the tree of life, which was not forbidden before the so-called fall. Nevertheless, this chance was in fact even nonexistent from the very beginning because of humans’ lack of knowledge. The motivation revealed in the speech of the woman, “not to *touch* the tree in the middle of the garden,” which goes beyond the divine command in Gen 2:17 reveals that they would not have eaten from it.

15.3. Death and Immortality in Early Receptions of Genesis 2–3

The suggested historical meaning of Gen 2–3, is, of course, different than what its reception history ascribes to it. In this reception history, it is first of all important to note that there seems to be hardly any literary reflection on this text in the Hebrew Bible. This presents a major problem for those assigning a monarchic date to this text in scholarship. However, a broader consensus has emerged at least in the European discussion that Gen 2–3 is probably a Persian-period text because of the shape of its theological positions.²³ It reflects a certain development in the history of religious thought making it very unlikely that Gen 2–3 is an early text.

22. Arvi S. Kapelrud, “You Shall Surely Not Die,” in *History and Traditions of Early Israel: Studies Presented to Eduard Nielsen, May 8th 1993*, ed. André Lemaire and Benedikt Otzen, VTSup 50 (Leiden: Brill, 1993), 50–61, here 61. See also Hans-Peter Müller, “Drei Deutungen des Todes: Genesis 3, der Mythos von Adapa und die Sage von Gilgamesh,” *JBTh* 6 (1991): 117–34; Müller, “Erkenntnis und Verfehlung: Prototypen und Antitypen zu Gen 2–3 in der altorientalischen Literatur,” in Rendtorff, *Glaube und Toleranz*, 191–210.

23. See, e.g., Otto, “Die Paradieserzählung,” 173–85; Markus Witte, *Die biblische Urgeschichte: Redaktions- und theologiegeschichtliche Beobachtungen zu Genesis 1,1–11,26*, BZAW 265 (Berlin: de Gruyter, 1998), 158–66; Schmid, “Ambivalence of Human Wisdom”; Andreas Schüle, *Der Prolog der hebräischen Bibel: Der literar- und theologiegeschichtliche Diskurs der Urgeschichte*, ATANT 86 (Zurich: TVZ, 2006), 149–217; Martin Arneith, *Durch Adams Fall ist ganz verderbt...: Studien zur Entstehung der alttestamentlichen Urgeschichte*, FRLANT 217 (Göttingen: Vandenhoeck & Ruprecht, 2006), 227–36.

It presupposes and universalizes the Deuteronomistic notion that land can be lost by disobedience, and it critiques traditional wisdom positions concerning human knowledge.

From this perspective, the silence about the paradise story in the Hebrew Bible is hardly astonishing. There are, however, quite a few reflections on Gen 2–3 found in early Jewish literature from the second and first centuries BCE.

The most well-known early Jewish receptions of Gen 2–3 can be found in two somewhat cryptic and very short allusions from Ben Sira (Sir 25:24) and the Wisdom of Solomon (Wis 2:23–24).²⁴ Ben Sira was probably written in the first half of the second century BCE, while the date of the Wisdom of Solomon is more disputed. Nevertheless, a majority of scholars tend to date it to the end of the first century BCE.²⁵

Sir 25:24: From a woman sin had its beginning, and because of her we all die.

Wis 2:23–24: For God created man for incorruption, and made him in the image of his own eternity, but through the devil's envy death entered the world, and those who belong to his party experience it.

Both passages seem to develop or presuppose the understanding that death entered the world through the so-called fall, implying vice versa that the first humans were created as immortals. Can the source of this notion of human immortality be found here, in these earliest receptions of Gen 2–3?²⁶ This seems to be the case, but a further glance in both books reveals that the situation is more complex.

24. See the overview by Helen Schüngel-Straumann, “‘Von einer Frau nahm die Sünde ihren Anfang, ihretwegen müssen wir alle sterben’ (Sir 25,24): Zur Wirkungs- und Rezeptionsgeschichte der ersten drei Kapitel der Genesis in biblischer Zeit,” *BK* 53 (1998): 11–20.

25. See, e.g., Erich Zenger, *Einleitung in das Alte Testament*, 5th ed., KStTh 1.1 (Stuttgart: Kohlhammer, 2004), 396–416; Otto Kaiser, *Die alttestamentlichen Apokryphen: Eine Einleitung in Grundzügen* (Gütersloh: Kaiser; Gütersloher Verlagshaus, 2000), 79–106; Kaiser, *Anweisungen zum gelingenden, gesegneten und ewigen Leben: Eine Einführung in die spätbiblischen Weisheitsbücher*, *Theologische Literaturzeitung*, Forum 9 (Leipzig: Evangelische Verlagsanstalt, 2003), 57–116; Mareike V. Blischke, *Die Eschatologie in der Sapientia Salomonis*, *FAT* 2/26 (Tübingen: Mohr Siebeck, 2007), 44–47.

26. Kugel, *Bible*, 69–70, is thinking in that direction.

15.3.1. Ben Sira

It has often been noted that Sir 25:24, with its notion of the origin of death, is an astonishingly foreign intrusion into the book. John J. Collins, for example, states: "Sirach 25:24 ... is anomalous in the context of Ben Sira."²⁷ Otherwise, the book of Ben Sira thinks of death as a regular and common feature of creation.²⁸ Most clearly, Sir 14:17 states

All living beings become old like a garment, for it is an eternal law to die.

The same conviction can be found in Sir 17:1–2:

The Lord created man out of earth, and turned him back to it again. He gave to men few days, a limited time.

Or in Sir 41:3–4:

Do not fear the sentence of death; remember your former days and the end of life; this is the decree from the Lord for all flesh.

These passages seem very clear: Humankind was created as mortal, not immortal, from the very beginning. What then is to be done about Sir 25:24? There are two possible explanations. The first solution could be to understand the expression "to die" not as "to become mortal," but meaning to have only a *short* life, to die *early*.²⁹ This would be in accordance with statements such as Sir 1:12 or 30:24:

27. John J. Collins, "Before the Fall: The Earliest Interpretations of Adam and Eve," in *The Idea of Biblical Interpretation: Essays in Honor of James L. Kugel*, ed. Hindy Najman and Judith H. Newman, JSJSup 83 (Leiden: Brill, 2004), 297.

28. See Collins, "Fall," 296–301; Peter Schäfer, "Adam in der jüdischen Überlieferung," in *Vom alten zum neuen Adam: Urzeitmythos und Heilsgeschichte*, ed. Walter Strolz and Egon Brandenburger (Freiburg im Breisgau: Herder, 1986), 72–73.

29. See John R. Levison, "Is Eve to Blame? A Contextual Analysis of Sirach 25:24," *CBQ* 47 (1985): 617–23. See Collins, "Fall," 298: "In light of these sentiments, it is possible that Ben Sira was laying the blame for sin and death on woman in general rather than on Eve in particular"; see also Schäfer, "Adam," 72; and Sir 17:2a, where the pronouns shift between singular ("Adam") and plural ("humankind"; Levison, "Is Eve to Blame?," 618 n. 3).

1:12: The fear of the Lord ... gives ... long life.

30:24: Jealousy and anger shorten life, and anxiety brings on old age too soon.

Another passage in the immediate context of Sir 25:24 explicitly links a long life with a good wife:

Sir 26:1–2: Happy is the husband of a good wife; the number of his days will be doubled. A loyal wife rejoices her husband, and he will complete his years in peace.

One could paraphrase the sequence of Sir 25:24–26:2 as follows: as the first sinful wife brought early death, every good wife will bring a long life.

Ben Sira is generally very critical of women and stresses the negative impact that women have on male life. This stance is quite traditional as it is reminiscent of concepts in Prov 1–9 warning against the strange woman, especially in chapter 7.³⁰

A second way to explain the peculiarity of Sir 25:24 within the book could be to consider Sir 25:24 as a redactional addition, introducing the connection between the genesis of death and the fall of the woman in Gen 2. There are some indications in the overall structure of chapter 25 that could support this solution, but it would lead too far from my topic to pursue these clues further at this point.

At any rate, it is far from clear that the book of Ben Sira already associated the so-called fall with the loss of an original immortality of the humans. Rather, the opposite is true: for Ben Sira, mortality is a feature of creation. Sin, induced by women or not, does not cause death as such, but rather an early death.

30. An especially glaring example of Ben Sira's misogyny can be found in Sir 42:12–14: "Do not look upon anyone for beauty, and do not sit in the midst of women; for from garments comes the moth, *and from a woman comes woman's wickedness*. Better is the wickedness of a man than a woman who does good; and it is a woman who brings shame and disgrace." This text might be of some importance for the understanding of Sir 25:24 because it does not seem far-fetched to interpret the phrase "from a woman comes woman's wickedness" as alluding to Gen 3 once again. See Patrick W. Skehan and Alexander A. Di Lella, *The Wisdom of Ben Sira*, AB 39 (New York: Doubleday, 1987), 483.

15.3.2. Wisdom of Solomon

While the case with Ben Sira is difficult, the Wisdom of Solomon seems to offer a clear position stating that the original state of humanity included the concept of genuine immortality.

Wis 2:23–24: For God created man for incorruption, and made him in the image of his own eternity, but through the devil's envy death entered the world, and those who belong to his party experience it.

The creation of humanity is depicted as an image of divine eternity. Consequently death came into the world through the devil, obviously an allusion to the serpent from Gen 3, a trait otherwise known and elaborated in the LAE 10–17; 2 En. 31:6; 4 Macc. 8:18; and Rev 12:9.³¹ In addition, we find the statement in Wis 1:12 that “God did not make death.”

Isn't this an obvious enough statement? But again, looking into the context of the rest of the book, there are also conflicting passages that take a contrary stance. For example, Wis 7:1 reads as follows:

I also am mortal, like all men, a descendant of the first-formed child of earth.

Wisdom 7:1 not only states that all men are mortal, but by using the imagery “child of earth” obviously also implies that the first human being was created mortal as well.³²

How are these inconsistencies to be dealt with? Recent approaches to the Wisdom of Solomon³³ have convincingly shown that “death” does not

31. David Winston, *The Wisdom of Solomon*, AB 43 (New York: Doubleday, 1979), 121–23; K. Martin Hogan, “The Exegetical Background of the ‘Ambiguity of Death’ in the Wisdom of Solomon,” *JSJ* 30 (1999): 19; Dieter Georgi, *Weisheit Salomos*, JSRZ 3.4 (Gütersloh: Mohn, 1980), 409. For other interpretations of the “devil” as referring to Cain, see John R. Levison, *Portraits of Adam in Early Judaism: From Sirach to 2 Baruch*, JSPSup 1 (Sheffield: JSOT Press, 1988), 1–2.

32. See Collins, “Fall,” 297: “Even the Wisdom of Solomon, which says emphatically that God did not make death and that it entered the world by the envy of the devil (Wis 1:13, 2:23–24), is most probably referring to spiritual death and taking mortality for granted.” See also Blischke, *Die Eschatologie*, 114–16.

33. Michael Kolarcik, *The Ambiguity of Death in the Book of Wisdom 1–6: A Study of Literary Structure and Interpretation*, AnBib 127 (Rome: Pontifical Bible Institute,

merely denote the end of life. It is seen in a multiperspectival way in the book: “Death” can mean physical death, but in many cases it refers to something which may be termed spiritual death—meaning the death of the soul while a person is still alive. The Wisdom of Solomon obviously draws on a distinction commonly known in ancient Alexandria, as some passages in Philo suggest. Although these texts may have been written down somewhat later than the book of Wisdom of Solomon, there are, nevertheless, hints that they rely on older traditions. The double notion of death is made explicit in Philo’s *Leg.* 1.105–107, in his exegesis on Gen 2:17:

Death is of two kinds, one that of the man in general, the other that of the soul in particular. The death of man is the separation of the soul from the body, but the death of the soul is the decay of virtue and the bringing in of wickedness. It is for this reason that God says not only “die” but “die the death” indicating not the death common to us all, but that special death properly so called, which is that of the soul becoming entombed in passions and wickedness of all kinds. And this death is practically the antithesis of the death that awaits us all.³⁴

The mention of immortality in the Wisdom of Solomon, then, is to be understood as a spiritualized notion of the everlasting qualities of a righteous human being. Or as Collins puts it: “The wise and righteous individual is immortal because righteousness and wisdom are immortal.”³⁵ Let me corroborate this view with a few passages from the book.

Wis 1:12–15: Do not invite death by the error of your life.... For righteousness is immortal.

Wis 6:18: To follow her laws [sc. the laws of wisdom] is assurance of immortality.

1991), 163; see also Robert J. Miller, “Immortality and Religious Identity in Wisdom 2–5,” in *Reimagining Christian Origins: A Colloquium Honoring Burton L. Mack*, ed. Elizabeth A. Castelli and Hal E. Taussig (Valley Forge, PA: Trinity Press International, 1996), 199–213.

34. Translation from Hogan, “Exegetical Background,” 11.

35. John J. Collins, “Death in the Context of Jewish Wisdom,” *HTR* 71 (1978): 191. See also 187: “In short the Wisdom of Solomon shares the conviction of Proverbs and Sirach that wisdom confers ‘life’ in a transcendent sense, but unlike them it envisages that life as immortality in the presence of God.”

Wis 15:3: For to know you [God] is complete righteousness, and to know your power is the root of immortality.

Apparently this spiritual concept of immortality was not commonly understood or accepted among the audience that the book of Wisdom addresses. The book speaks of some “foolish” people who think that also the righteous ones just die like all others:

Wis 3:1–4: But the souls of the righteous are in the hand of God, and no torment will ever touch them. In the eyes of the foolish they seemed to have died, and their departure was thought to be an affliction, and their going from us to be their destruction; but they are at peace. For though in the sight of men they were punished, their hope is full of immortality.

The foolish make no distinction between physical and spiritual death, whereas the righteous know that their souls will live on thanks to their righteousness. To be sure, the Wisdom of Solomon thinks that both are right, as the immortality of the soul is contingent upon the way a person lives his or her life.³⁶ For the foolish, it is indeed true that they will die an ultimate death.

To sum up: It seems more convincing that Wis 2:23–24 does not allude to an original physical immortality, but to spiritual immortality, which is attainable through a life full of righteousness.³⁷ The “death having entered the world” means spiritual death, the death of the soul before or when the body physically dies. This interpretation is also imposed by the immediate context preceding Wis 2:23 in 2:22:

And the [ungodly] did not know the mysteries of God, nor did they hope for the reward of holiness, nor did they choose the prize for blameless souls.

15.3.3. 1 Enoch

What seems to be true for Ben Sira and the Wisdom of Solomon also seems to be the case in some strands of the apocalyptic tradition. The book of 1 Enoch, for example, never addresses the origin of death explicitly.³⁸ Nev-

36. Hogan, “Exegetical Background,” 2.

37. Hogan, “Exegetical Background,” 16–17.

38. For questions of composition and historical setting see the overview, e.g., of Andreas Bedenbender, *Der Gott der Welt tritt auf den Sinai: Entstehung, Entwicklung und Funktionsweise der frühjüdischen Apokalypsik*, ANTZ 8 (Berlin: Institut Kirche

ertheless, in 15.3–7, within the Book of Watchers, 1 Enoch clearly assumes that “the fleshly human nature was thought to be inherently mortal.”³⁹

Wherefore have you [the angels] left the high, holy, and eternal heaven, and lain with women, and defiled yourselves with the daughters of men and taken to yourselves wives, and done like the children of earth, and begotten giants (as your) sons? And though you were holy, spiritual, living the eternal life, you have defiled yourselves with the blood of women, and have begotten (children) with the blood of flesh, and, as the children of men, have lusted after flesh and blood as those also do who die and perish. Therefore have I given them wives also that they might impregnate them, and beget children by them, that thus nothing might be wanting to them on earth. But you were formerly spiritual, living the eternal life, and immortal for all generations of the world. And therefore I have not appointed wives for you; for as for the spiritual ones of the heaven, in heaven is their dwelling.

Collins further comments:

According to this passage, women were created so that mortal men could attain a substitute for immortality by begetting children. If Adam were originally immortal, there would have been no reason to create Eve. It is unlikely, then, that death was introduced as a punishment for the sin of Adam. Rather, as we saw in Ben Sira, mortality seems to have been the divine plan for human beings from the beginning.⁴⁰

15.3.4. 4 Ezra and 2 Baruch

In later apocalyptic texts such as 4 Ezra and 2 Baruch, stemming from the period after 70 CE, the picture is still not radically different.⁴¹

und Judentum, 2000), 146–51; James C. VanderKam, *An Introduction to Early Judaism* (Grand Rapids: Eerdmans, 2001), 91–94; but especially George W. E. Nickelsburg, *1 Enoch 1: A Commentary on the Book of 1 Enoch, Chapters 1–36; 81–108*, Hermeneia (Minneapolis: Fortress, 2001), 230.

39. Collins, “Fall,” 305.

40. Collins, “Fall,” 306.

41. See Michael E. Stone, *Fourth Ezra: A Commentary on the Fourth Book of Ezra*, Hermeneia (Minneapolis: Fortress, 1990), 9–11; Albertus F. J. Klijn, “Die syrische Baruchapokalypse,” in *Apocalypsen*, JSRZ 5.2 (Gütersloh: Mohn, 1976), 113–14; Konrad Schmid, “Die Zerstörung Jerusalems und seines Tempels als Heilsparadox: Zur Zusammenführung von Geschichtstheologie und Anthropologie im Vierten Esra-

Although there are general statements such as 2 Bar. 23.4 linking Adam's sin with death, it is not clear whether this refers to the loss of an original immortality. For example, 2 Bar. 54.15 explicitly says that Adam's fall brought not mortality but "untimely death," which points to the conviction that Adam is conceived as being created as a mortal being (see also 2 Bar. 56.5). Furthermore, the clarification in 2 Bar. 17.2–3 is noteworthy, explaining Adam's "bringing of death" as a cutting off of years:

For what did it profit Adam that he lived nine hundred and thirty years and transgressed that which he was commanded? Therefore the multitude of time that he lived did not profit him, but brought death and cut off the years of those who were born from him.

Finally, 2 Bar. 21.10 addresses God as the only "immortal," and 2 Bar. 40.3; 85.5 imply that transience is a feature of this world. Vice versa, the promise of "life" in 2 Bar. 38.1; 48.22 seems to be an innerworldly result of respecting the law.⁴²

In 4 Ezra the case seems to be a little different,⁴³ as 4 Ezra 3.7 appears to argue that death entered the world through Adam's sin:

And you laid upon him one commandment; but he transgressed it, and immediately you appointed death for him and for his descendants. From him there sprang nations and tribes, peoples and clans without number.

It is, however, not said what kind of death God appointed for Adam and his descendants: physical death? early death? spiritual death?

Fourth Ezra 3.9–10 compares Adam's death with the flood, so one might think of a "cutting off of days" as in 2 Baruch:

But again, in its time you brought the flood upon the inhabitants of the world and destroyed them. And the same fate befell them: as death came upon Adam, so the flood upon them.

buch," in *Zerstörungen des Jerusalemer Tempels: Geschehen–Wahrnehmung–Bewältigung*, ed. Johannes Hahn, WUNT 147 (Tübingen: Mohr Siebeck, 2002), 183–206.

42. See Klijn, "Baruchapokalypse," 116–17.

43. See the excursus on "death" in Stone, *Fourth Ezra*, 65–67.

Ezra is not complaining in 4 Ezra 4.33 that human years are not eternal but that they are “short and evil.” As in 2 Baruch, “immortality” is a feature not of this world but of the world to come (4 Ezra 7.113).

Interestingly, however, the discussion of that problem does not seem fully clear in the transmission of the text of 4 Ezra. Fourth Ezra 7.118 provides different readings as for the “fall”:

4 Ezra 7.118–119: O Adam, what have you done? For though it was you who sinned, the fall was not yours alone, but ours also who are your descendants. For what good is it to us, if an eternal age has been promised to us, but we have done deeds that bring death?

The Latin text reads “fall,” the Syriac and Ethiopic text “evil,” and the Arabic versions have “death” or “doom.”⁴⁴

Fourth Ezra might therefore need to be interpreted somewhat differently than 2 Baruch. Nevertheless, it remains noteworthy that the position of 4 Ezra regarding the question of an original immortality of humankind is not expressed with full clarity.

15.3.5. Josephus

Also a late first-century CE text such as the *Jewish Antiquities* of Josephus still holds that the first humans were granted a long but nevertheless non-eternal life, as can be seen from God’s punishment speech toward Adam and Eve in *Ant.* 1.46, where God recounts his original plans for humankind in paradise:

I [God] had decided ... that you would live a happy life ... and your life would have been long.⁴⁵

From this statement, it becomes sufficiently clear that in Josephus’s view humankind did not lose an original immortality but was created mortal from the very beginning.

44. See Josef Schreiner, *Das 4. Buch Esra*, JSHRZ 5.4 (Gütersloh: Mohn, 1981), 358.

45. Translation according to Louis H. Feldman, *Judean Antiquities 1–4: Translation and Commentary* (Leiden: Brill, 2000), 17.

15.3.6. Philo

One of the most influential interpretations of the topic of mortality in Gen 2–3 can be found in Philo’s treatment of the passage in several places. The best known passage is *Opif.* 134–135, where Philo relates the first and the second accounts of the creation to each other in a platonizing way. According to this view, Moses reports the creation of the immortal idea of humankind in Gen 1, while Gen 2 relates to the creation of the mortal human body:

After this he [Moses] says that “God formed man by taking clay from the earth, and breathed into his face the breath of life” (Gen. ii. 7) By this also he shows very clearly that there is a vast difference between the man thus formed and the man that came into existence earlier after the image of God: for the man so formed is an object of sense-perception, partaking already of such and such quality, consisting of body and soul, man or woman, by nature mortal; while he that was after the (Divine) image was an idea or type or seal, an object of thought (only), incorporeal, neither male nor female, by nature incorruptible. It says, however, that the formation of the individual man, the object of sense, is a composite one made up of earthly substance and of Divine breath: for it says that the body was made through the Artificer taking clay and moulding out of it a human form, but that the soul was originated from nothing created whatever, but from the Father and Ruler of all: for that which He breathed in was nothing else than a Divine breath that migrated hither from the blissful and happy existence for the benefit of our race, to the end that, even if it is mortal in respect of its visible parts, it may in respect of the part that is invisible be rendered immortal. Hence it may with propriety be said that man is the borderland between mortal and immortal nature, partaking of each so far as is needful, and that he was created at once mortal and immortal, mortal in respect of the body [θνητὸν μὲν κατὰ τὸ σῶμα], but in respect of the mind [κατὰ δὲ τὴν διάνοιαν ἀθάνατον] immortal.⁴⁶

This method of interpreting the double creation of humankind in Gen 1 and 2–3 is probably no invention of Philo’s, but instead relies on an older tradition also found in the LXX. The LXX renders יָצַר “to form” in Gen 2:7 (“YHWH Elohim formed man from the dust of the ground”) with πλάσσειν

46. Philo, *On the Account of the World’s Creation Given by Moses (De opificio mundi)*, with an English Translation by F. H. Colson and G. H. Whitaker, LCL (Cambridge: Harvard University Press, 1956), 107.

and not with ποιεῖν, which accords with Plato's *Timaeus* (42d–e): only the supreme deity is able to ποιεῖν; meanwhile, the formation, expressed with the verb πλάσσειν, of the mortal human body is the task of the “younger gods.”⁴⁷

15.3.7. The Letters of Paul

In light of these findings, the traditional interpretation of Paul's understanding of Gen 2–3 in Rom 5 might need some reconsideration.⁴⁸ Of course, death is the consequence of sin (Rom 6:23) beginning with Adam's own fate (Rom 5:12), but it is noteworthy that Paul does not mention Adam's original immortality. Rather, the notion of “eternal life” is explicitly linked not to the first man, but to the second man, not to Adam, but to Christ.

Rom 6:23: For the wages of sin is death, but the free gift of God is eternal life in Christ Jesus our Lord.

Rom 5:12: Therefore, just as sin came into the world through one man, and death came through sin, and so death spread to all because all have sinned.

47. See Martin Rösel, *Übersetzung als Vollendung der Auslegung: Studien zur Genesis-Septuaginta*, BZAW 223 (Berlin: de Gruyter, 1994), 60.

48. See Martin Meiser, “Die paulinischen Adamsaussagen im Kontext frühjüdischer und frühchristlicher Literatur,” in *Jüdische Schriften in ihrem antijüdischen und urchristlichen Kontext*, ed. Hermann Lichtenberger and Gerbern S. Oegema, Studien zu den Jüdischen Schriften aus hellenistisch-römischer Zeit 1 (Gütersloh: Gütersloher Verlaghaus, 2002), 376–401. C. Clifton Black, “Pauline Perspectives on Death in Romans 5–8,” *JBL* 103 (1984): 413–33; Karl Kertelge, “Adam und Christus: Die Sünde Adams im Lichte der Erlösungstat Christi nach Römer 5,12–21,” in *Anfänge der Christologie: Festschrift für Ferdinand Hahn zum 65. Geburtstag*, ed. C. Breytenbach and Henning Paulsen (Göttingen: Vandenhoeck & Ruprecht, 1991), 141–54; Egon Brandenburger, “Alter und neuer Mensch, erster und letzter Adam-Anthropos,” in *Studien zur Geschichte und Theologie des Urchristentums*, SBAB 15 (Stuttgart: Katholisches Bibelwerk, 1993), 209–50; Otfried Hofius, “Die Adam-Christus-Antithese und das Gesetz: Erwägungen zu Röm 5,12–21,” in *Paulusstudien II*, WUNT 143 (Tübingen: Mohr Siebeck, 2002), 62–103; Richard H. Bell, “The Myth of Adam and the Myth of Christ in Romans 5.12–21,” in *Paul, Luke and the Graeco-Roman World: Essays in Honour of Alexander J. M. Wedderburn*, ed. Alf Christophersen et al., JSNTSup 217 (London: T&T Clark, 2002), 21–36.

This view can be corroborated by comparison with 1 Corinthians. In 1 Cor 15:47, Paul clearly states that Adam was made from dust, clearly indicating his transience and mortality.

The first man was from the earth, a man of dust; the second man is from heaven.

Immortality can only be achieved through the second man, through Christ:

1 Cor 15:51–54: We will not all die, but we will all be changed.... For this perishable body must put on imperishability, and this mortal body must put on immortality. When this perishable body puts on imperishability, and this mortal body puts on immortality, then the saying that is written will be fulfilled: “Death has been swallowed up in victory.”

But this immortality does not mean just living on, instead it is a new life in a completely changed way. Paul also seems to have a double notion of death. Of course we die. But death no longer entails separation from God. Or, anachronistically, in the words of Philo: physical death no longer means spiritual death.

15.4. Conclusion

After trying to establish the hypothesis that the first humans were probably considered mortals from the very beginning in the biblical paradise story and its early receptions, it is appropriate to consider the theological significance of this interpretation.

First, the prevalent Christian interpretation that sees the primitive status of humankind as immortal is the result of an eschatologizing perspective on the paradise story that was historically alien to it. Genesis 2–3 in its biblical shape is probably one of the most noneschatological texts of the Bible, as is evident especially from its final verse:

Gen 3:24: [The Lord God] drove out the man; and at the east of the garden of Eden he placed the cherubim, and a sword flaming and turning to guard the way to the tree of life.

The angels with their sword stand for the conviction that paradise is lost forever. There is no way back, never ever. The paradise story tries to explain how the present conditions of human life outside paradise came about. It

takes no interest in painting out the protological status of humankind in order to provide a model for eschatological expectations. The common Christian interpretation has thoroughly transformed this model, as can be seen for example from a famous German song called *Lobt Gott ihr Christen alle gleich* (Nicolaus Hermann 1500–1561), which ends with the words:

Heut schleust er [Jesus Christ] wieder auf die Tür zum schönen Paradeis;
der Cherub steht nicht mehr dafür.

Today he unlocks the door to the beautiful paradise; the cherub no longer stands in front of it.

Second, it is quite interesting to consider the theological implications from the biblical and early Jewish notion of the human beings as being created mortal from the very beginning. The Bible clearly sees no problems in determining human life—as it was designed by the creator—as substantially limited. Genesis 2–3 seems to present the wish to become immortal as a real wish only for fallen humanity. Immortality as such does not seem to be theologically important. This is probably not a completely mistaken idea.

Third and finally, there is one problem left for God: Why did he not execute the punishment he announced? Why could the first couple live on? Is God a liar? Some scholars even go so far as to state that because of this inconsistency, the verses of Gen 2:16–17—where God threatens the humans by death penalty—cannot have been part of the original story.⁴⁹ However, such a solution would just be bizarre. It is possible to think that God is not bound to his own will, and sometimes his grace subverts his justice.

49. Dohmen, *Schöpfung und Tod*, 155.

Shifting Political Theologies in the Literary Development of the Jacob Cycle

16.1. Toward a Historical Interpretation of the Jacob Cycle

Using the Bible as a historical source is broadly discussed in biblical studies, but not always with sufficient methodological precision. One of the most important issues for interpreting the Bible historically is to acknowledge the difference between the world of the biblical narratives, on the one hand, and the world of the narrators, on the other. In the Jacob cycle, the world of the narrative is easy to determine: The stories about Jacob are located in the second millennium BCE, playing out in the premonarchic, even preexodus period. But what is the world of the narrators?

Since the birth of historical-critical scholarship in the eighteenth century, many different answers have been given, and it is especially interesting to consider the history of scholarship over the last two hundred years. Julius Wellhausen wrote in his famous *Prolegomena* from 1883:

However, we cannot gain any historical knowledge about the patriarchs here [in Gen 12–50], but only about the time when the stories about them came to be among the Israelite people. This later period is projected into the dim and distant past, and is mirrored there like a mirage.¹

Wellhausen was convinced that there was a significant gap of several centuries between the world of the Jacob narratives and their narrators. However, his approach did not have enduring success. One of the most influential figures for the development in the opposite direction was Hermann Gunkel. His

1. Julius Wellhausen, *Prolegomena zur Geschichte Israels* (Berlin: Reimer, 1883), 336. Unless otherwise noted, all translations are mine.

method of *Formgeschichte* allowed him to find what he considered very old individual tales, as well as collections of tales, behind the book of Genesis:

The tales were, when recorded, already very ancient and had a long pre-history. This is only natural: The origin of the tale always escapes the researching perspective and dates back to prehistorical times.²

Only in the wake of Gunkel is William Foxwell Albright's later statement understandable. He writes:

As a whole, the picture in Genesis is historical, and there is no reason to doubt the general accuracy of the biographical details.³

Albright was light years away from Wellhausen, and the mediating figure between them was actually Gunkel. By the 1970s, this approach prevailed in biblical studies. Only in the mid-1970s with the groundbreaking work of Thomas Thompson and John Van Seters—who simply stated the obvious—was a return to safe, historical ground again possible, so that Wellhausen's approach was again properly recognized.⁴ There is no need here to repeat why Thompson and Van Seters felt the world of the patriarchal narratives differed from the world of its narrators. One can just recall the use of camels as transport animals, along with references to the city of Gerar and the Philistines—matters that were impossible in a second-millennium historical context but that fit into a first-millennium context very well.⁵

2. Hermann Gunkel, *Genesis*, 6th ed., HKAT 1.1 (Göttingen: Vandenhoeck & Ruprecht, 1964); Gunkel, *Genesis*, trans. Mark E. Biddle, Mercer Library of Biblical Studies (Macon, GA: Mercer University Press, 1997), xl.

3. William Foxwell Albright, *The Biblical Period from Abraham to Ezra* (New York: Harper & Row, 1963), 5.

4. Thomas L. Thompson, *The Historicity of the Patriarchal Narratives: The Quest for the Historical Abraham*, BZAW 133 (Berlin: de Gruyter, 1974); John Van Seters, *Abraham in History and Tradition* (New Haven: Yale University Press, 1975).

5. For camels, see Robert Walz, "Neuere Untersuchungen zur Domestikation der altweltlichen Cameliden," *ZDMG* 104 (1954): 45–87; Volkmar Fritz, *The Emergence of Israel in the Twelfth and Eleventh Centuries B.C.E.*, trans. James W. Barker, *Biblical Encyclopedia* 2 (Atlanta: Society of Biblical Literature, 2011), 130. For Gerar and the Philistines, see Carl S. Ehrlich, *The Philistines in Transition: A History from ca. 1000–730 B.C.E.*, SHANE 10 (Leiden: Brill, 1996). See also the discussion of Israel Finkelstein and Thomas Römer in "Comments on the Historical Background of the Jacob Narrative in Genesis," *ZAW* 126 (2014): 317–38.

Thompson and Van Seters provided an apt and successful critique of a biblicist approach to the historical background of the Jacob cycle, but it is also necessary to mention the upheavals in pentateuchal criticism at the same time, with Van Seters playing a crucial role here too. In order to understand current historical approaches to the Jacob cycle, it is helpful to keep these developments in mind.

In German-speaking scholarship, the questioning of fundamental assumptions behind the Documentary Hypothesis by Van Seters, Hans Heinrich Schmid, and Rolf Rendtorff is often referred to as the “crisis of pentateuchal criticism.”⁶ In my view, this is a misleading label. It would be more accurate to speak of the “*chance* of pentateuchal criticism.” If seen from a rational point of view, what happened to the Pentateuch during the 1970s was simply that some traditional assumptions about its composition turned out to be unwarranted and without a secure foundation.

For the literary analysis of the Jacob cycle in the wake of Rendtorff, Erhard Blum’s groundbreaking book from 1984 about the composition of the patriarchal narratives is still the best argued and most sophisticated approach to Gen 12–50, even though some of his historical evaluations demand refinement and correction, as he himself has subsequently stated.⁷

It is crucial to identify the main difference between Blum’s view of the Jacob cycle in comparison to the traditional assumptions of the Documentary Hypothesis. The Jacob cycle is no longer just an episode in a much longer work like the Yahwist or the Elohist, but, according to Rendtorff and Blum, it is better interpreted as an originally independent literary unit that had its own historical setting and tradition history. Only later was it then incorporated into larger narrative threads like P, which is a successful survivor in today’s pentateuchal theory.⁸

6. See Van Seters, *Abraham in History*; Hans Heinrich Schmid, *Der sogenannte Jahwist: Beobachtungen und Fragen zur Pentateuchforschung* (Zurich: TVZ, 1976); Rolf Rendtorff, *Das überlieferungsgeschichtliche Problem des Pentateuch*, BZAW 147 (Berlin: de Gruyter, 1977). For a discussion of the notion of “crisis,” see Erhard Blum, *Studien zur Komposition des Pentateuch*, BZAW 189 (Berlin: de Gruyter, 1990), 1.

7. Erhard Blum, *Die Komposition der Vätergeschichte*, WMANT 57 (Neukirchen-Vluyn: Neukirchener Verlag, 1984); Blum, “The Jacob Tradition,” in *The Book of Genesis: Composition, Reception, and Interpretation*, ed. Craig A. Evans, Joel Lohr, and David L. Petersen, VTSup 152 (Leiden: Brill, 2012), 181–211.

8. See, e.g., Albert de Pury, “P⁵ as the Absolute Beginning,” in *Les dernières rédactions du Pentateuque, de l’Hexateuque et de l’Ennéateuque*, ed. Thomas Römer and Konrad Schmid, BETL 203 (Leuven: Peeters, 2007), 123–28. An overall assessment

According to Blum and others, the composition of the Pentateuch is not the big exception within the formation of biblical literature. As in the book of Psalms or in the book of Isaiah, smaller units stand at the beginning of the formation process, and the larger connections emerge at the end of that process. But according to the increasingly doubtful argument of the Documentary Hypothesis, the overarching narrative lines of the Pentateuch were there from the very beginning.⁹

The relative literary independence of the Jacob cycle is one of the most important insights of recent research on the Pentateuch, but there is another, often neglected element that is nearly as important: The Jacob cycle is not just one story among others, but a legend of Israel's origins. Especially Albert de Pury has described this function of the Jacob cycle in various publications.¹⁰ A key text for his approach is Hos 12, where the Jacob and the Moses traditions seem to be presupposed as two competing myths of origin for Israel. At this point they may not yet have been arranged in their now familiar order, where Moses is subsequent to

of P in recent discussion is provided by Friedhelm Hartenstein and Konrad Schmid, eds., *Abschied von der Priesterschrift? Zum Stand der Pentateuchdebatte*, VWGTh 40 (Leipzig: Evangelische Verlagsanstalt, 2015).

9. See, e.g., Jean-Louis Ska, *Introduction to Reading the Pentateuch* (Winona Lake, IN: Eisenbrauns, 2006); Thomas B. Dozeman, Konrad Schmid, and Baruch J. Schwartz, eds., *The Pentateuch: International Perspectives on Current Research*, FAT 78 (Tübingen: Mohr Siebeck, 2011); Thomas Römer, "Zwischen Urkunden, Fragmenten und Ergänzungen: Zum Stand der Pentateuchforschung," *ZAW* 125 (2013): 2–24; Römer, "Der Pentateuch," in *Die Entstehung des Alten Testaments*, ed. Walter Dietrich et al., ThW 1.1 (Stuttgart: Kohlhammer, 2014), 53–166; Konrad Schmid, "The Pentateuch and Its Theological History," ch. 9 in this volume; Reinhard G. Kratz, "The Analysis of the Pentateuch: An Attempt to Overcome Barriers of Thinking," *ZAW* 128 (2016): 529–61; Jan C. Gertz et al., eds., *The Formation of the Pentateuch: Bridging the Academic Cultures of Europe, Israel, and North America*, FAT 111 (Tübingen: Mohr Siebeck, 2016); Thomas B. Dozeman, *The Pentateuch: Introducing the Torah* (Minneapolis: Fortress, 2017).

10. Albert de Pury, "Le cycle de Jacob comme légende autonome des origines d'Israël," in *Congress Volume Leuven 1989*, ed. John A. Emerton, VTSup 43 (Leiden: Brill, 1991), 78–96; de Pury, "Situer le cycle de Jacob: Quelques réflexions, vingt-cinq ans plus tard," in *Studies in the Book of Genesis: Literature, Redaction and History*, ed. André Wénin, BETL 155 (Leuven: Peeters, 2001), 213–41; de Pury, "The Jacob Story and the Beginning of the Formation of the Pentateuch," in *A Farewell to the Yahwist? The Composition of the Pentateuch in Recent European Interpretation*, ed. Thomas B. Dozeman and Konrad Schmid, SymS 34 (Atlanta: Society of Biblical Literature, 2006), 51–72.

Jacob.¹¹ However, this interpretation of Hos 12 has also been contested from various sides.¹²

Hosea 12:13–14 [ET: 12–13]:

ויברח יעקב שדה ארם
ויעבד ישראל באשה
ובאשה שמר
ובנביא
העלה יהוה את־ישראל ממצרים
ובנביא נשמר:

And Jacob fled into the field of Aram,
Israel served for a wife,
And for a wife he kept watch.
But by a prophet
YHWH brought Israel out of Egypt
And by a prophet, it (Israel) was kept

To evaluate the Jacob cycle historically, the three following starting points can be maintained. (1) The Jacob cycle is not a historical witness for the period presented in the narrative but rather, when critically evaluated, is a historical source for the periods of its literary development. (2) The Documentary Hypothesis no longer represents a safe starting point for the exegesis of the book of Genesis (at best, it might be a possible, albeit improbable, result). (3) P is a comparably well-founded assumption in pentateuchal theory and usually provides a reasonable starting point.¹³

11. See, e.g., Albert de Pury, “Erwägungen zu einem vorexilischen Stämmejahwismus: Hos 12 und die Auseinandersetzung um die Identität Israels und seines Gottes,” in *Ein Gott allein? JHWH-Verehrung und biblischer Monotheismus im Kontext der israelitischen und altorientalischen Religionsgeschichte*, ed. Walter Dietrich and Martin Klopfenstein, OBO 139 (Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 1994), 413–39.

12. Martin Schott, “Die Jakobspassagen in Hos 12,” *ZTK* 112 (2015): 1–26; Erhard Blum, “Hosea 12 und die Pentateuchüberlieferungen,” in *Die Erzväter in der biblischen Tradition: Festschrift für Matthias Köckert*, ed. Anselm Hagedorn and Henrik Pfeiffer, BZAW 400 (Berlin: de Gruyter, 2009), 291–321. Roman Vielhauer, *Das Werden des Buches Hosea: Eine redaktionsgeschichtliche Untersuchung*, BZAW 349 (Berlin: de Gruyter, 2007), 178–80, opts for a late date of Hos 12.

13. See n. 8.

16.2. The Priestly Passages in the Jacob Cycle: A Political Appropriation of the *Pax Persica* in the Levant

In order to proceed from more-secure to less-secure assumptions, one may start with the Priestly version of the Jacob cycle, which is usually located in Gen 25:19–20, 26b; 26:34–35; 27:46–28:9; 31:17–18; 33:18*; 35:(6?) 9–15, 22b–29. There is a certain, even if not unanimous, scholarly consensus that P originates from the early Persian period.¹⁴ This dating is discernible in P's positive adaptation of Persian imperial ideology:¹⁵ For P and the Persians alike, every nation shall live in its own land, with their own language, culture and religion, as the Priestly refrain to the Table of Nations in Gen 10 points out.

בני יפת ... בארצתם איש ללשנו למשפחתם בגויהם

10:2, 5: The sons of Japheth ... in their lands, with their own language, by their families, by their nations.

אלה בני־חם למשפחתם ללשנתם בארצתם בגויהם

10:20: These are the sons of Ham, by their families, by their languages, in their lands, and by their nations.

אלה בני־שם למשפחתם ללשנתם בארצתם לגויהם

10:31: These are the sons of Shem, by their families, by their languages, in their lands, and by their nations.

In other words, in the wake of Persian ideology, P acknowledges a culturally diversified world as a theologically legitimate option.¹⁶

14. See n. 8 and Reinhard G. Kratz, *Historisches und biblisches Israel: Drei Überblicke zum Alten Testament* (Tübingen: Mohr Siebeck, 2013), 162 n. 107, who differentiates between the date of the cultic laws and the narrative framework.

15. Klaus Koch, "Weltordnung und Reichsidee im alten Iran und ihre Auswirkungen auf die Provinz Jehud," in *Reichsidee und Reichsorganisation im Perserreich*, 2nd ed., OBO 55 (Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 1996), 197–201; see also Rüdiger Schmitt, *The Bisitun Inscriptions of Darius the Great: Old Persian Texts*, vol. 1 of *The Old Persian Inscriptions*, Corpus inscriptionum Iranicarum (London: School of Oriental and African Studies, 1991); Schmitt, *Die altpersischen Inschriften der Achämeniden: Editio minor mit deutscher Übersetzung* (Wiesbaden: Reichert, 2009).

16. See, e.g., Josef Wiesehöfer, "Achaemenid Rule and Its Impact on Yehud," in *Texts, Contexts and Readings in Postexilic Literature: Explorations into Historiography*

Of course, there are also dissenting voices in scholarship that prefer to place P in the exilic or even monarchic period, but the Priestly Jacob tradition in particular supports a postmonarchic historical context for P.¹⁷ Such a context can be seen from the concerns that are highlighted in the Priestly Jacob texts, where two elements receive considerable attention: the first is Bethel and the second is the question of intermarriage.¹⁸ Both show how P is mainly interested in cult and family issues, but no longer in national politics.

P's cultic interest is detectable in its version of the Bethel episode in Gen 35:9–15, which is a clear doublet and reception of the non-Priestly Bethel account in Gen 28:10–22.¹⁹

וירא אלהים אל-יעקב עוד בבואו מפדן ארם ויברך אתו

35:9 And God appeared to Jacob again when he came from Paddan-aram, and he blessed him.

and Identity Negotiation in Hebrew Bible and Related Texts, ed. Louis Jonker, FAT 2/53 (Tübingen: Mohr Siebeck, 2011), 172–85. The Assyrians pursued a different policy, discussed in Angelika Berlejung, “The Assyrians in the West: Assyrianization, Colonialism, Indifference, or Development Policy?,” in *Congress Volume Helsinki 2010*, ed. Martti Nissinen, VTSup 148 (Leiden: Brill, 2012), 21–60.

17. For the exilic period, see William H. C. Propp, *Exodus: A New Translation with Introduction and Commentary*, 2 vols., AB 2–2A (New York: Doubleday, 1999–2006), 2:730–32. For the monarchic period, see Richard Elliott Friedman, *Who Wrote the Bible?* (San Francisco: Harper, 1990), 161–216; see also Avi Hurvitz, “Dating the Priestly Source in Light of the Historical Study of Biblical Hebrew: A Century after Wellhausen,” in *Lebendige Forschung im Alten Testament*, ed. Otto Kaiser, BZAW 100 (Berlin: de Gruyter, 1988), 88–100; Hurvitz, “Once Again: The Linguistic Profile of the Priestly Material in the Pentateuch and Its Historical Age: A Response to J. Blenkinsopp,” ZAW 112 (2000): 180–91. For a postmonarchic view, see in more detail Konrad Schmid, “Taming Egypt: The Impact of Persian Imperial Ideology and Politics on the Biblical Exodus Account,” ch. 21 in the present volume, repr. from *Jewish Cultural Encounters in the Ancient Mediterranean and Near Eastern World*, ed. Mladen Popović, Myles Schoonover, and Marijn Vandenberghe, JSJSup 178 (Leiden: Brill, 2017), 13–29.

18. See Albert de Pury, “Der priesterschriftliche Umgang mit der Jakobsgeschichte,” in *Schriftauslegung in der Schrift: Festschrift für Odil Hannes Steck zu seinem 65. Geburtstag*, ed. Reinhard G. Kratz, Thomas Krüger, and Konrad Schmid, BZAW 300 (Berlin: de Gruyter, 2000), 33–60.

19. See Hans A. Rapp, *Jakob in Bethel: Gen 35,1–15 und die jüdische Literatur des 3. und 2. Jahrhunderts*, HBS 29 (Freiburg im Breisgau: Herder, 2001), 25–66.

וַיֹּאמֶר לוֹ אֱלֹהִים אֲנִי אֵל שְׁדֵי פְרָה וּרְבָה גֹי וְקָהֵל גֹּוִים יִהְיֶה מִמֶּךָּ וּמַלְכִּים מִחֲלָצֶיךָ
יֵצְאוּ

35:11 And God said to him, I am El Shaddai: be fruitful and multiply; a nation and a company of nations shall come from you, and kings shall spring from you.

וְאֶת־הָאָרֶץ אֲשֶׁר נָתַתִּי לְאַבְרָהָם וְלִיִּצְחָק לָךְ אֶתְנַנָּה וְלִזְרַעְךָ אַחֲרֶיךָ אֶתֶּן אֶת־הָאָרֶץ
35:12 The land that I gave to Abraham and Isaac I will give to you, And to your offspring after you I will give the land.

וַיַּעַל מֵעָלָיו אֱלֹהִים בַּמָּקוֹם אֲשֶׁר־דִּבֶּר אֹתוֹ :

35:13 And God went up from him at the place where he had spoken with him.

וַיִּקְרָא יַעֲקֹב אֶת־שֵׁם הַמָּקוֹם אֲשֶׁר דִּבֶּר אֹתוֹ שֵׁם אֱלֹהִים בֵּית־אֵל

35:15 And Jacob called the place where God had spoken with him Bethel.

The traditional association of Jacob with Bethel was apparently so strong that P could not neglect it, even though it does not fit P's own concept of a fully centralized cult. But P did what it could do with regard to the preceding tradition. According to P, Bethel is no longer a holy place as such, but a place where God occasionally appeared and spoke to Jacob, after which God left the place (וַיַּעַל "he went up"). Bethel is thus not a sanctuary, but the place of a specific revelation to Jacob in which nothing really new is communicated to him. Jacob basically receives a repetition of God's promises to Abraham from Gen 17.

Regarding the topic of marriage, the sheer amount of text allotted to this issue shows its importance for P: Approximately one-third of P's Jacob texts deal with Esau's and Jacob's marriages. Here is a selection of them:

וַיְהִי עָשׂוּ בֶן־אַרְבָּעִים שָׁנָה וַיִּקַּח אִשָּׁה אֶת־יְהוּדִית בַּת־בְּאֵרִי הַחִתִּי וְאֶת־בִּשְׁמַת בַּת־
אֵילָן הַחִתִּי

26:34 When Esau was forty years old, he married Judith daughter of Beeri the Hittite, and Basemath daughter of Elon the Hittite;

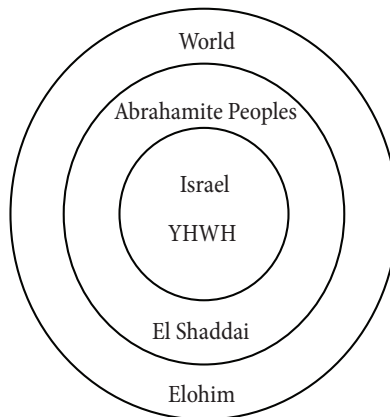
וְתֹאמַר רִבְקָה אֶל־יִצְחָק קִצְתִּי בַחַיִּי מִפְּנֵי בָנוֹת חַת אִם־לָקַח יַעֲקֹב אִשָּׁה מִבְּנוֹת־
חַת כֹּאֵלָה מִבְּנוֹת הָאָרֶץ לְמָה לִּי חַיִּים

27:46 Then Rebekah said to Isaac, I am weary of my life because of the Hittite women. If Jacob marries one of the Hittite women such as these, one of the women of the land, what good will my life be to me?

ויקרא יצחק אל-יעקב ויברך אתו ויצוהו ויאמר לו לא־תקח אשה מבנות כנען
 28:1 Then Isaac called Jacob and blessed him, and charged him and said
 to him, You shall not marry one of the Canaanite women.

וילך עשו אל-ישמעאל ויקח את־מחלת ויקח את־מחלת בן־אברהם אחות נביות
 על־נשיו לו לאשה
 28:9 Esau went to Ishmael and took Mahalath daughter of Ishmael, the
 son of Abraham, and sister of Nebaioth, to be his wife in addition to the
 wives he had.

P's position with regard to these marriages is clear: Judeans and Israelites are not allowed to intermarry with Hittites and Canaanites, but intermarriage with Edomites and Ishmaelites is possible. This policy accords with P's worldview of three concentric circles.



According to P, the world is organized in three different realms with different political and theological qualifications.²⁰ The most general realm is

20. See in more detail Konrad Schmid, "Judean Identity and Ecumenicity: The Political Theology of the Priestly Document," ch. 24 in the current volume; repr. from *Judah and Judeans in the Achaemenid Period: Negotiating Identity in an International Context*, ed. Oded Lipschits, Gary N. Knoppers, and Manfred Oeming (Winona Lake, IN: Eisenbrauns, 2011), 3–26. This conception might be inspired by the Persians' own view of center and periphery within their empire; cf. Herodotus, *Hist.*, 1.134: "After their own nation they hold their nearest neighbors most in honour, then the nearest but one—and so on, their respect decreasing as the distance grows, and the most remote being the most despised. Themselves, they consider in every way superior to

the overall world. All nations are included in that sphere to which God is known as Elohim. The middle circle includes the Abrahamite people, that is, Israel, but also Edom and the Ishmaelites, because they are all Abraham's offspring. God is known to them as El Shaddai, and intermarriage is apparently possible within that middle circle. The inner circle is Israel itself: only Israel knows God by the cultic name YHWH.²¹

It is remarkable historically that P still presupposes a strong sense of cohesion between Edom and Israel that allows for intermarriage between descendants of these peoples. It seems that the traditions about the relationship between Israel and Edom were still normative for P.²²

To summarize briefly the place of Jacob in P: (1) The Priestly Jacob passages presuppose a Jacob cycle. (2) They both acknowledge and struggle with the Bethel-orientation of the material. (3) The Priestly Bethel episode in Gen 35 desacralizes the pre-Priestly Bethel tradition in Gen 28. (4) The Priestly Jacob passages downplay the political dimension of Israel's links to Esau, transferring it to the realm of intermarriage. (5) Nevertheless, P witnesses to a historical consciousness of a strong link between Edom and Israel. I will now shift from this comparatively fixed point in the development of the Jacob tradition in the early Persian period and turn to earlier texts in the Jacob cycle, namely, the non-Priestly promises and then the non-Priestly narrative substance of the cycle.

16.3. The Promise in Gen 28:13–15: An Exilic Appraisal of the Diaspora

Not only in the Jacob cycle, but also throughout Gen 12–50, a characteristic textual element can be found: the promise to the patriarchs. Traditional

everyone else in the world, and allow other nations a share of good qualities decreasing according to distance, the furthest off being in their view the worst." See Pierre Briant, *From Cyrus to Alexander: A History of the Persian Empire* (Winona Lake, IN: Eisenbrauns, 2002), 181.

21. See Albert de Pury, "Gottesname, Gottesbezeichnung und Gottesbegriff: 'Elohim als Indiz zur Entstehungsgeschichte des Pentateuch,'" in *Abschied vom Jahwisten: Die Komposition des Hexateuch in der jüngsten Diskussion*, ed. Jan C. Gertz, Konrad Schmid, and Markus Witte, BZAW 315 (Berlin: de Gruyter, 2002), 25–47; for a critical take on this argument, see Erhard Blum, "Der vermeintliche Gottesname 'Elohim,'" in *Gott nennen: Gottes Namen und Gott als Name*, ed. Ingolf U. Dalferth and Philipp Stoellger, RPT 35 (Tübingen: Mohr Siebeck, 2008), 97–119.

22. See on this in more detail below in §16.3.

scholarship deemed these promise texts to be a genuine part of Israel's nomadic past:

Nomad religion is religion of the promise. The nomad lives not in the cycle of sowing and harvesting, but rather in the world of migration. It is a world of here today and there tomorrow, a world where one knows that the children will die at locations different from where the parents are buried.²³

Current scholarship has abandoned this romantic picture of nomadism, and rightly so. Nomads lived in a close relationship with Levantine cities, and it is mistaken to assume that they constantly dreamed of becoming a great people and taking up a sedentary lifestyle.²⁴ Much more adequate and important for a historical evaluation of the promise texts in the book of Genesis was Gerhard von Rad's fundamental observation that the promises provide a thematic link for the patriarchal narratives:

Although the great narrative complexes covering the call of Abraham down to the death of Joseph consist in the coalescence of a great variety of traditional material, the whole has nevertheless a scaffolding supporting and connecting it, the so-called promise to the patriarchs. At least it can be said that this whole variegated mosaic of stories is given cohesion of subject-matter ... by means of the constantly recurring divine promise.²⁵

In addition, apart from Gen 18 (and Gen 15 and 17, which provide narratives construed around their promises), not a single story in the patriarchal narratives includes a promise element that is essential to the narrative.

Rendtorff and Blum drew the redaction-critical conclusion from these literary observations and argued that one should see the promises in Gen 12–50 as redactional links between the individual stories and cycles

23. Viktor Maag, "Malkut JHWH," in *Kultur, Kulturkontakt und Religion: Gesammelte Studien zur allgemeinen und alttestamentlichen Religionsgeschichte*, ed. Hans Heinrich Schmid and Odil H. Steck (Göttingen: Vandenhoeck & Ruprecht, 1980), 156.

24. See, e.g., Manfred Weippert, "Semitische Nomaden des zweiten Jahrtausends," *Bib* 55 (1974): 265–80, 472–83; Fritz, *Die Entstehung Israels*, 130–35.

25. Gerhard von Rad, *Theologie des Alten Testaments*, 2 vols. (Munich: Kaiser, 1957–1960), 1:171= *Old Testament Theology*, trans. David Stalker, 2 vols. (New York: Harper, 1962–1965), 1:167.

that build up the patriarchal narrative.²⁶ But the promise topic is not an invented element of the cycle. Besides the recurrent theme of blessing in the Jacob cycle, the promise topic has earlier, tradition-historical roots in the story of Abraham, particularly in the narrative of Gen 18, which is the only pre-Priestly story in Gen 12–50 that includes an integral promise element—that is, the promise of a son for Abraham and Sara in 18:14b.²⁷

The most prominent promise text in the Jacob cycle is Gen 28:13–15.

והנה יהוה נצב עליו ויאמר אני יהוה אלהי אברהם אביך ואלהי יצחק הארץ אשר אתה שכב עליה לך אתננה ולזרעך והיה זרעך כעפר הארץ ופרצת ימה וקדמה וצפנה ונגבה ונברכו בך כל־משפחת האדמה ובזרעך והנה אנכי עמך ושמרתיך בכל אשר־תלך והשבתיך אל־האדמה הזאת כי לא אעזבך עד אשר אס־עשיתי את אשר־דברתי לך

And YHWH stood beside him and said, I am YHWH, the God of Abraham your father and the God of Isaac; the land on which you lie I will give to you and to your offspring; and your offspring shall be like the dust of the earth, and you shall spread abroad to the west and to the east and to the north and to the south; and all the families of the earth shall be blessed in you and in your offspring. Behold, I am with you and I will keep you in all respects wherever you go, and will bring you back to this land; for I will not leave you until I have done what I have said to you.

Genesis 28:13–15 clearly does not represent an original part of the Bethel story in Gen 28:10–22.²⁸ After waking up from his dream, Jacob only refers to the image of the stairway to heaven (Gen 28:16–17) but not to God's speech in Gen 28:13–15. Neither does Jacob's vow (Gen 28:20–22) seem

26. See nn. 6 and 7; differently, Joel S. Baden, *The Promise to the Patriarchs* (New York: Oxford University Press 2013).

27. For the earlier roots, see Matthias Köckert, "Die Geschichte der Abrahamüberlieferung," in *Congress Volume Leuven 2004*, ed. André Lemaire, VTSup 109 (Leiden: Brill, 2006), 103–28; Israel Finkelstein and Thomas Römer, "Comments on the Historical Background of the Abraham Narrative: Between 'Realia' and 'Exegetica,'" *HBAI* 3 (2014): 3–23; Jean-Louis Ska, "Essay on the Nature and Meaning of the Abraham Cycle (Gen 11:29–25:11)," in *The Exegesis of the Pentateuch: Exegetical Studies and Basic Questions*, FAT 66 (Tübingen: Mohr Siebeck, 2009), 23–45. For the promise of a son, see Köckert, "Wie wurden Abraham- und Jakobüberlieferung zu einer 'Vätergeschichte' verbunden?," *HeBAI* 3 (2014): 43–66.

28. See Rolf Rendtorff, "Jakob in Bethel: Beobachtungen zum Aufbau und zur Quellenfrage in Gen 28,10–22," *ZAW* 94 (1982): 511–23; and his reception in Blum, *Die Komposition der Vätergeschichte*, 7–35.

to know the promise of Gen 28:13–15. Rather, Gen 28:13–15 takes up the apodosis of Jacob's vow and turns it into a promise (cf. Gen 28:20–21 with Gen 28:15). In addition, Gen 28:13–15 is very similar to Gen 12:1–3, which indicates that the literary horizon of Gen 28:13–15 transcends the Jacob cycle and also includes the stories of Abraham and Isaac.²⁹

The content of Gen 28:13–15 includes the promise of numerous offspring and the gift of the land. These topics would be especially relevant in an exilic situation, which could point either to Israel's situation after 720 BCE or after 587 BCE.³⁰ The specific contours of the diaspora theology of Gen 28:13–15 are remarkable: Unlike other texts of the Hebrew Bible interpreting Israel's fate of existing in the diaspora as sign of divine punishment (e.g., Jer 24:8–10), Gen 28:13–15 sees the diaspora as a means in God's plan to convey salvation to the nations (28:14; see also Gen 12:2–3 and Gen 39:2–6, 21–23).³¹

ונברכו בך כל משפחת האדמה ובזרעך

And all the families of the earth shall be blessed in you and in your offspring.

Genesis 28:13–15 thus takes an explicit stance against some explicit voices in the prophetic corpus, as well as in the so-called Deuteronomistic History, both of which interpret Israel's dispersion into the diaspora as an expression of God's anger and God's punishment for Israel's sins (see, e.g., 2 Kgs 17:7–23). Genesis 28:13–15 instead suggests the following: Israel was meant to cover the globe from the very beginning, in order to allow the nations to participate in God's blessings.

29. See Reinhard G. Kratz, *Die Komposition der erzählenden Bücher des Alten Testaments: Grundwissen der Bibelkritik*, UTB 2157 (Göttingen: Vandenhoeck & Ruprecht, 2000), 263–79.

30. See Matthias Köckert, *Vatergott und Väterverheissungen: Eine Auseinandersetzung mit Albrecht Alt und seinen Erben*, FRLANT 142 (Göttingen: Vandenhoeck & Ruprecht, 1988); Köckert, "Verheissung I. Altes Testament," *TRE* 34:697–704; Charles E. Carter, *The Emergence of Yehud in the Persian Period: A Social and Demographic Study*, JSOTSup 294 (Sheffield: Sheffield Academic, 1999), 235; Gary N. Knoppers, "Revisiting the Samaritan Question in the Persian Period," in *Judah and the Judeans in the Persian Period*, ed. Oded Lipschits and Manfred Oeming (Winona Lake, IN: Eisenbrauns, 2006), 268.

31. See, e.g., Christoph Levin, "Righteousness in the Joseph Story: Joseph Resists Seduction (Genesis 39)," in Dozeman, Schmid, and Schwartz, *Pentateuch*, 223–40.

16.4. The Pre-Priestly Jacob Cycle: A Political Theology of Israel and Edom

The bulk of the non-Priestly material in Gen 25–35 is probably pre-Priestly.³² The only material with a probably post-Priestly origin is Gen 34 and 35:1–5, because, in brief, the former presupposes Gen 17, whereas the latter is probably an anti-Samaritan polemic against Shechem, interpreting the Samaritans' holy site as a favissa of the אֱלֹהֵי הַנֹּכַח that Jacob disposed there.³³ But most of the rest likely belong to an older cycle of Jacob material.

That it is correct to speak of a cycle becomes clear by looking at the arrangement of the texts within Gen 25–35. As early as 1975, Michael Fishbane pointed out that there is a concentric structure in the Jacob material in Gen 25–35, once one brackets out the material that obviously does not belong to it (namely, Gen 26 and 34).³⁴

- A Gen 25: Birth of Jacob and Esau, selling of birthright
Genesis 26: Isaac
- B Gen 27: Jacob stealing the blessing, escaping
- C Gen 28: Encounter with God (Bethel)
- D Gen 29–30: Jacob at Laban's, birth of sons
- D' Gen 31: Leaving Laban
- C' Gen 32: Encounter with God (Penuel)
- B' Gen 33: Reconciliation between Jacob and Esau
Genesis 34: Dina at Shechem
- A' Genesis 35: Bethel, birth of Benjamin, Rachel's death

32. See, e.g., n. 5.

33. For the pre-Priestly material, see, e.g., Christoph Levin, "Dina: Wenn die Schrift wider sich selbst lautet," in *Fortschreibungen: Gesammelte Studien zum Alten Testament*, BZAW 316 (Berlin: de Gruyter, 2003), 49–59. As an anti-Samaritan polemic, see Nadav Na'aman, "The Law of the Altar in Deuteronomy and the Cultic Site Near Shechem," in *Rethinking the Foundations: Historiography in the Ancient World and in the Bible: Essays in Honour of John Van Seters*, ed. Steven L. McKenzie and Thomas Römer, BZAW 294 (Berlin: de Gruyter, 2000), 160–61 n. 54.

34. Michael Fishbane, "Composition and Structure in the Jacob Cycle (Gen 25:19–35:22)," *JJS* 26 (1975): 15–38.

The composition's center is the birth of Jacob's sons, playing out at Laban the Aramaean's. It is surrounded by two stories about Jacob's encounters with God, which give the cycle its basic structure.

The texts of the pre-Priestly Jacob cycle were most likely written at different times and at different places.³⁵ It has its own complicated literary history.³⁶ For example, the Jacob-Laban material seems to be older than the Jacob-Esau material. In addition, the two stories about Jacob's encounter with God in Gen 28 and 32 seem to be secondary insertions into a preexisting literary context, which the verses immediately following the episodes suggest: They fit the preceding context of the two episodes at Bethel and Peniel far better than the episodes where they are now positioned.

וישא יעקב רגליו וילך ארצה בני־קדם

29:1 Then Jacob took off, and he went to the land of the people of the east (cf. Gen 27:45)

וישא יעקב עיניו וירא והנה עשו בא

33:1: And Jacob looked up and saw Esau coming (cf. Gen 32:14a and 32:22)

However, that does not mean that the two episodes are necessarily from a late date. This observation only suggests that their literary insertion into their current context is the result of a redactional act.

Another piece of evidence is the passage about the selling of the firstborn's birthright in Gen 25:19–34, which functionally doubles the stealing of the firstborn's blessing in Gen 27 and which is probably a secondary legitimization of what Gen 27 addresses: Jacob's dominion over Esau.

But there is no need to go into great detail here. My purpose with these remarks is just to highlight the clear structure of the Jacob cycle and that this structure probably results from a complex compositional history rather than from a single author.

In what follows, I do not focus on the prehistory of the Jacob cycle (including its oral prestages) because it is extremely difficult to obtain plausible results to such investigations. I will instead point out three specific

35. Against Nadav Na'aman, "The Jacob Story and the Formation of Biblical Israel," *TA* 41 (2014): 95–125, who argues for a largely unified Jacob cycle and dates it to the sixth century BCE.

36. See n. 7.

elements of the cycle that are important for its political theology. (1) The pre-Priestly Jacob cycle is chiefly (i.e., except for minor, later additions) of a northern origin. (2) It dates back to the Northern Kingdom's monarchic period. (3) It had a political function from the outset, especially regarding relations with the Southern Kingdom.

I begin with the northern origin of the Jacob cycle. In terms of the history of scholarship, this insight was especially developed by Albrecht Alt in his seminal essay on the "God of the Fathers" from 1929.³⁷ His basic observations were striking and remain valid today: The locations in the Jacob story, Bethel, Penuel, Shechem, Machanaim, and others all point to the north. In addition, the clearest and most explicit allusion to the Jacob texts outside of the Pentateuch is in the book of Hosea, a prophet from the Northern Kingdom.³⁸

As it stands, Gen 25–35 of course seems to play out in a conceptual framework that includes both Israel and Judah, also including Simeon, Levi, Judah, and Benjamin among Jacob's sons. Nevertheless, it is obvious that the original geographical anchors of the Jacob material belong to the north.³⁹

This can be corroborated by a second point: The Jacob material seems to have a clear orientation toward Bethel.⁴⁰ This can be illustrated by Gen 28:20–22, which depicts Jacob as making a vow in order to tithe, that is, to give the tenth to God—a vow that he makes at Bethel and that seems to legitimize the sanctuary there. The narrative is at odds with the later centralization of the cult in Jerusalem, and for this reason probably predates it.⁴¹

37. Albrecht Alt, "Der Gott der Väter," in *Kleine Schriften zur Geschichte des Volkes Israel* (Munich: Beck, 1959), 1–78. For the English translation, see "The God of the Fathers," in *Essays on Old Testament History and Religion*, trans. R. A. Wilson, BibSem 9 (Sheffield: JSOT Press, 1989), 1–66.

38. See n. 12.

39. See Marvin A. Sweeney, "The Jacob Narratives: An Ephraimic Text?," *CBQ* 78 (2016): 236–55.

40. See Melanie Köhlmoos, *Bethel: Erinnerungen an eine Stadt; Perspektiven der alttestamentlichen Bethel-Überlieferung*, FAT 49 (Tübingen: Mohr Siebeck, 2006); Ernst Axel Knauf, "Bethel: The Israelite Impact on Judean Language and Literature," in *Judah and the Judeans in the Persian Period*, ed. Oded Lipschits and Manfred Oeming (Winona Lake, IN: Eisenbrauns, 2006), 291–349.

41. See Michael Pietsch, *Die Kultreform Josias: Studien zur Religionsgeschichte Israels in der späten Königszeit*, FAT 86 (Tübingen: Mohr Siebeck, 2013).

וישכם יעקב בבקר ויקח את־האבן אשר־שם מראשתיו וישם אתה מצבה ויצק
שמן על־ראשה ויקרא את־שם המקום ההוא בית אל

28:18 And Jacob rose early in the morning, and he took the stone that he had put under his head and set it up as a *mazzebah*, and poured oil on its top. 28:19 He called that place **Bethel** ...

וידר יעקב נדר לאמר אם יהיה אלהים עמדי ושמרני בדרך הזה אשר אנכי הולך
... והיה יהוה לי לאלהים

28:20 Then Jacob made a vow, saying, If God will be with me, and will keep me in this way that I go, ... then YHWH shall be my God,

והאבן הזאת אשר שמתני מצבה יהיה בית אלהים וכל אשר תתן לי עשר אעשרנו
לך

28:22 and this stone, which I have set up as a *mazzebah*, shall be a house of God; and of all that you give me **I will surely give one tenth to you.**

Some scribes who transmitted Gen 28 apparently recognized this awkwardness, and they seem to have added a *second* apodosis to the vow formulation in Gen 28:21b (והיה יהוה לי לאלהים) “then YHWH shall be my God”), which in the present context precedes Gen 28:22 but is probably secondary because it is a functional doublet and downplays the significance of paying the tenth in the second apodosis.

The emphasis on Bethel in the Jacob cycle allows for an even more precise date when taking into account the archaeological findings at Bethel. Bethel as a working sanctuary clearly points to a period before the downfall of the Northern Kingdom.⁴² Since Bethel is central to the overall structure of the Jacob cycle, it is quite plausible to assume that the Jacob cycle can be dated before 720 BCE.

The interpretation of the figures of Jacob and Esau prove relevant to a third point that ties in with the political substance of this material. There is a traditional and well-known approach to this problem dating back to Gunkel and reiterated by Eckart Otto that the conflict between Jacob and Esau reflects the old conflict between farmers and hunters in basic cultural-historical terms.⁴³

42. Israel Finkelstein and Lily Singer-Avitz, “Reevaluating Bethel,” *ZDPV* 125 (2009): 33–48.

43. Gunkel, *Genesis*; for the English translation, see Gunkel, *Genesis*; see also Eckart Otto, “Jakob,” *RGK* 3:352–53.

But to my mind, this approach is untenable. By contrast, Wellhausen and Blum are on the right track. Wellhausen notes in his *Prolegomena*: “The narrative material is here [in the Patriarchal stories] not of mythical, but of national quality.”⁴⁴ Wellhausen does not support his statement with much argumentation, but Blum fills this omission in his seminal study on Gen 12–50. He demonstrates that crucial elements in the Jacob cycle presuppose the story’s political dimension: for example, the birth oracle in 25:23, the birth account in Gen 25:25 that associates Esau with Edom and Seir, and the blessing in Gen 27:29. All of these elements are essential for the narrative, and they all witness to the political dimension of the cycle: Jacob is Israel and Esau is Edom.

ויאמר יהוה לה שני גיים בבטנך ושני לאמים ממעיד יפרדו ולאם מלאם יאמץ
ורב יעבד צעיר וימלאו ימיה ללדת והנה תומם בבטנה ויצא הראשון אדמוני כלו
כאדרת שער ויקראו שמו עשו

25:23–25: And YHWH said to her, Two nations are in your womb, and two peoples born of you shall be divided; the one shall be stronger than the other, the elder shall serve the younger. When her time to give birth was at hand, there were twins in her womb. The first came out red, all his body like a hairy mantle; so they named him Esau.

יעבדוך עמים וישתחו לך לאמים הוה גביר לאחיד וישתחו לך בני אמך
27:29: Peoples will serve you, and nations will bow down to you. Be lord over your brothers, and may your mother’s sons bow down to you.

וען יצחק אביו ויאמר אליו הנה משמני הארץ יהיה מושבך ומטל השמים מעל ועל
חרבך תחיה ואת אחיד תעבד והיה כאשר תריד ופרקת עליו מעל צווארך
27:39–40: And his father Isaac answered him and said to him: See, away from the fatness of the earth shall your home be, and away from the dew of heaven on high. By your sword you shall live, and you shall serve your brother; but when you break loose, you shall break his yoke from your neck.

However, it is also important to see that the stories about Jacob and Esau cannot simply be read as political allegories that can be translated on a 1:1 basis into historical events. This becomes especially evident when looking at the end of the cycle, in Gen 33:1–4.⁴⁵

44. Wellhausen, *Prolegomena zur Geschichte Israels*, 336.

45. For more detail, see Konrad Schmid, “Die Versöhnung zwischen Jakob und Esau (Genesis 33,1–11),” in *Jacob: Commentaire à plusieurs voix de Gen. 25–36*, ed.

וישא יעקב עיניו וירא והנה עשו בא ועמו ארבע מאות איש

33:1 And Jacob looked up and saw Esau coming, and four hundred men with him.

והוא עבר לפניהם וישתחו ארצה שבע פעמים עד־גשתו עד־אחיו וירץ עשו לקראתו ויחבקהו ויפל על־צוארו וישקהו ויבכו:

33:3–4: And he [i.e., Jacob] himself went on ahead of them, bowing himself to the ground seven times, until he came near his brother. But Esau ran to meet him, and embraced him, and fell on his neck and kissed him, and they wept.

This text reports that Jacob bows down seven times to Esau, which seems to constitute a complete inversion of the blessing that Jacob stole from Esau in Gen 27:29. There is apparently a political dimension to the Jacob story, though its narrative flow is not a linear representation of corresponding political events. The cycle develops its own narrative world. In this case, Gen 33 seems to imply a critique of a magical understanding of the firstborn's blessing: Jacob may have stolen it, but in effect, other factors are decisive with regard to its actual corollaries.

Yet the Jacob cycle is not only about Jacob and Esau, but also Jacob and Laban, who is called an Aramean. It is noteworthy that when Esau is in the picture, Laban is not, and vice versa. This supports the common assumption that the Jacob cycle is built up out of two formerly independent traditions, the Jacob-Laban story, on the one hand, and the Jacob-Esau story, on the other.⁴⁶ Whereas the Jacob-Laban story is somewhat self-sufficient, the Jacob-Esau story is not: Without the Laban episode, it is not clear where Jacob flees to and where he comes from in order to reconcile with Esau. In addition, there is good reason to assume that the trickster motif so clearly present in the Jacob-Esau tradition is taken from the Jacob-Laban material, where Laban is the trickster.

How are we to evaluate the Laban tradition in historical terms?⁴⁷ At this point, it is again helpful to look at the geography. According to Gen 27:43; 28:10; and 29:4, Laban dwells in Haran.

Jean-Daniel Macchi and Thomas Römer, *MdB* 44 (Geneva: Labor et Fides, 2001), 211–26.

46. See n. 7.

47. See Erhard Blum, "The Relations between Aram and Israel in the Ninth and Eighth Centuries BCE: The Textual Evidence," in *In Search for Aram and Israel: Poli-*

ועתה בני שמע בקלי וקום ברח־לך אל־לבן אחי חרנה:

27:43 Now therefore, my son, obey my voice and get up, flee at once to my brother Laban in Haran.

ויצא יעקב מבאר שבע וילך חרנה:

28:10 Jacob left from Beersheba and went toward Haran.

ויאמר להם יעקב אחי מאין אתם ויאמרו מחרן אנחנו:

29:4 Jacob said to them, My brothers, where do you come from? They said, We are from Haran.

This point is at odds with the narrative substance of the Jacob-Laban story, which seems to presuppose Laban not in the far north of Syria (where Haran is situated), but rather somewhere in the Damascus area.

In particular, three passages hint at this original location for Laban. First, in Gen 29:1 we are told that Jacob went on his journey to Laban and came to the land of the בני־קדם. While this is not very specific, we learn from texts like Judg 6:3, 33; 7:12; Jer 49:28; Ezek 25:4,10 that the בני־קדם are assumed to be farther south than Haran, somewhere in the Transjordan area around Gilead.

Another text compatible with this location is Gen 31:23, where we learn that Laban caught up with Jacob after three days in the hill country of Gilad, which would have been impossible had Jacob fled from Haran. In addition, this location of Gen 31:23 is the place of the frontier treaty in Gen 31:51–53, thus assuming that Laban's territory expands into the Gilead area.

If we account for how all three Haran mentions are only superficially linked to their contexts, it is plausible to follow the proposal of Gunkel, Eduard Meyer, John Skinner, Martin Noth, Thompson, Otto, and Blum, affirming that, in the process of reworking the Jacob cycle, Laban's location has secondarily been transferred from the Transjordan area to Haran in northern Syria.⁴⁸

But why would this have happened, and when? Ernst Axel Knauf points convincingly to the particular religious and political significance of Haran in the Neo-Assyrian context.⁴⁹ Haran is the city of Sin, who is the

tics, Culture, and Identity, ed. Omer Sergi, Manfred Oeming, and Izaak J. de Hulster, ORA 20 (Tübingen: Mohr Siebeck, 2016), 37–56.

48. See the discussion in Blum, *Die Komposition der Vätergeschichte*, 164–67.

49. See Knauf, “Bethel,” 320.

Lord of the West. Having Jacob travel to Haran shows him to be a loyal servant of the Neo-Assyrian dominion.

One element of the Jacob cycle's Haran layer is especially interesting. The mention of Haran in Gen 28:10 is combined with Jacob's departure from Beersheba. What is Jacob doing in Beersheba? This verse apparently already presupposes the literary connection between the Isaac story from Gen 26 with the Jacob cycle because Beersheba is the location of Isaac according to Gen 26. This chapter is not an integral part of the Jacob cycle since Isaac and Rebekah remain childless in Gen 26, but they have children in Gen 25 and 27 alike.⁵⁰

The Haran interpretation therefore either presupposes or establishes the link between the Jacob cycle and the literary Isaac tradition, which, again, is a good argument that the core of the Jacob cycle predates the conquest of Israel by the Neo-Assyrians.

At the same time, this point does not necessarily imply that Jacob as the son of Isaac is a late construction. The figure of Isaac is well-rooted in the accounts of Gen 25 and 27, and there is no reason to believe, as Reinhard Kratz does, that Isaac had actually blessed Esau in the first literary edition of Gen 27, with Jacob intruding by means of a secondary insertion.⁵¹ Rather, Gen 25 and 27 seem to reflect that Jacob, representing Israel, entertains a close relationship to Judah from the outset, which is symbolized by Isaac, a correspondence otherwise known from the book of Amos (Amos 7:9; 8:5).

In the Jacob cycle, the prominence of Esau and Edom raises a series of serious historical questions. First and foremost, it is striking that a non-neighboring nation like Edom enjoys such a close relationship to Israel. Second, the close relationship of Esau *as the twin brother* of Jacob is astonishing in light of the hateful passages against Edom in other parts of the Hebrew Bible, especially in the Prophets (cf. Isa 34:5–6; Jer 49:17–22; Obad 1, 8, 9, 19, 21; Mal 1:2–3).⁵²

50. On the juxtaposition and redactional connection of the Abraham and Jacob stories, see Köckert, "Abraham- und Jakobüberlieferung."

51. Kratz, *Die Komposition*.

52. See Bob Becking, "The Betrayal of Edom: Remarks on a Claimed Tradition," *HTS Teologiese Studies/Theological Studies* 72 (2016): a3286, <http://dx.doi.org/10.4102/hts.v72i4.3286>; Beth Glazier-McDonald, "Edom in the Prophetic Corpus," in *You Shall Not Abhor an Edomite for He Is Your Brother: Edom and Seir in History and Tradition*, ed. Diana Edelman, ABS 3 (Atlanta: Scholars Press, 1995), 23–32; Elie Assis,

The second point can be explained in part by the relatively early date of the Jacob cycle, which does not presuppose the possibly difficult history between Edom and Judah in the sixth century (a history only reconstructed by texts like Arad ostrakon no. 24; see also 3 Ezra 4:45).⁵³ Nevertheless, especially the first point requires an explanation.

On this matter, the findings of Kuntillet 'Ajrud provide some help.⁵⁴ They are quite well known, and they provide a good example of close economic, as well as religious, contact between the Northern Kingdom and Edom. The pithoi inscriptions mention YHWH of Samaria and YHWH of Teman. Teman is connected to Edom, at least when accounting for biblical passages like Amos 1:11–12; Jer 49:7, 20; Obad 9; Ezek 25:13.⁵⁵ Kuntillet 'Ajrud provides extrabiblical evidence of how geographical neighborhood is apparently not the sole determining factor for expressing political or religious relationships within the Levant. Israel and Edom are not neighboring nations, but they entertained manifold exchanges in economic, cultural, and religious terms.

In view of the epigraphically documented relationship between Edom and Israel that illumines the figures of the Jacob cycle, other biblical texts likewise come into play. Especially remarkable is the Song of Deborah in Judg 5, which clearly reflects a northern setting (Judah is missing among the tribes mentioned) and, for linguistic reasons, is probably an old text (Knauf dates it to the tenth century).⁵⁶ This text shows a similar connection

“Why Edom? On the Hostility towards Jacob’s Brother in Prophetic Sources,” VT 56 (2006): 1–20; Assis, *Identity in Conflict: The Struggle between Esau and Jacob, Edom and Israel*, Siphrut 19 (Winona Lake, IN: Eisenbrauns, 2016); Piotr Bienkowski, “New Evidence on Edom in the Neo-Babylonian and Persian Periods,” in *The Land That I Will Show You: Essays on the History and Archaeology of the Ancient Near East in Honor of J. Maxwell Miller*, ed. J. Andrew Dearman, JSOTSup 343 (Sheffield: Sheffield Academic, 2001), 198–213.

53. Johannes Renz and Wolfgang Röllig, *Handbuch der althebräischen Epigraphik*, vol. 1 (Darmstadt: Wissenschaftliche Buchgesellschaft, 1995), 389–93; Herbert Donner, *Geschichte des Volkes Israel und seiner Nachbarn in Grundzügen*, 3rd ed., GAT 4.1.2 (Göttingen: Vandenhoeck & Ruprecht, 2000–2001), 405 and nn. 23–24; 407 and n. 35.

54. See Zvi Meshel, ed., *Kuntillet 'Ajrud (Horvat Teman): An Iron Age II Religious Site on the Judah-Sinai Border* (Jerusalem: Israel Exploration Society, 2012).

55. See Roland de Vaux, “Téman, ville ou région d’Edom?,” RB 76 (1969): 379–85; HALOT, s.v. “תִּמָּן II”; Ernst Axel Knauf, “Teman,” NBL 3:799.

56. Ernst Axel Knauf, “Deborah’s Language: Judges Ch. 5 in Its Hebrew and Semitic Context,” in *Studia Semitica et Semito-hamitica: Festschrift für Rainer Voigt anlässlich seines 60. Geburtstages am 17. Januar 2004*, ed. Bogdan Burtea, Josef Tropper,

between the north and the south: YHWH has his origins in Seir and Edom, but he is active in the north.⁵⁷

Similar is 1 Kgs 19, which is probably not an old text.⁵⁸ It recounts Elijah's trip from the north to the south via Beersheba. It is not important here whether or not Elijah made this trip (since he seems to be a literary rather than a historical figure, he likely did not). Suffice it to say that a traditional travel route appears to be implied here, witnessing again to established connections between the Northern and the Southern Kingdoms.

Finally, in the book of Amos and ostensibly addressed to the Northern Kingdom, there are warnings against going on a pilgrimage to Beersheba. Some scholars think that the mention of Beersheba in Amos 5:5 is a later addition because the name Beersheba is missing in the second part of the verse, but this assumption is not compelling for a couple of reasons. First, the verse as it stands exhibits a clear structure, highlighting Beersheba in the center; and second, one can imagine that, in the alleged political situation of the eighth century, Beersheba would be considered safe. It is thus not far-fetched to adduce Amos 5:5 and 8:14 in order to show that there were significant cultic bonds to the south in the eighth century.

But why do these connections from Israel to the south exist? Two things need to be highlighted here. On the one hand, these connections seem to reflect memories or at least repercussions of the religious-historical origin of YHWH religion in the south, and the same seems present in Judg 5 and plays some role in 1 Kgs 19 and Amos 5 and 8.⁵⁹ On the other hand, economic reasons are also likely to stand behind such memories or repercussions. Edom was on an important trade route, and Beersheba

and Helen Younansardaroud, AOAT 317 (Münster: Ugarit-Verlag, 2005), 167–82; cf. Tyler D. Mayfield, “The Accounts of Deborah (Judges 4–5) in Recent Research,” *CurBR* 7 (2009): 306–35.

57. See Martin Leuenberger, “YHWH's Provenance from the South: A New Evaluation of the Arguments Pro and Contra,” in *The Origins of Yahwism*, ed. Jürgen van Oorschot and Markus Witte, BZAW 484 (Berlin: de Gruyter, 2017), 157–79.

58. See Matthias Köckert, “Elia: Literarische und religionsgeschichtliche Probleme in 1 Kön 17–18,” in *Der eine Gott und die Götter: Polytheismus und Monotheismus im antiken Israel*, ed. Manfred Oeming and Konrad Schmid, ATANT 82 (Zurich: TVZ, 2003), 111–44; see also Erhard Blum, “Der Prophet und das Verderben Israels: Eine ganzheitliche, historisch-kritische Lektüre von 1 Regum XVII–XIX,” *VT* 47 (1997): 277–92.

59. See n. 39.

seems to have been its gateway to the north.⁶⁰ Beersheba is the place associated with Isaac in the Bible (esp. Gen 26; see also Gen 28:10): As Jacob and Esau's father, Isaac lives in a place that apparently bore significance for Israel's trade with Edom and the south.

These factors of religion and economy were apparently so strong that Israel could be closely connected to Edom, even bypassing what, at the time, was a less significant Judah that only gained importance after 720 BCE.⁶¹

16.5. Conclusions

This contribution only points out a few basic, preliminary aspects of the political implications of the Jacob cycle: its northern origin, and its links to the south, and its affiliation with Haran. One can summarize these findings in the following seven points. (1) The Jacob cycle belongs to the north, is to be dated pre-720 BCE, and was a political narrative from the outset in its literary form. (2) Although the *dramatis personae* symbolize political entities, the events in the narrative cannot always be translated into political history. To a certain extent, the narrative pursues its own logic. (3) The connections between Jacob/Israel and Esau/Edom are understandable in a ninth or eighth century BCE context, as the inscriptions from Kuntillet 'Ajrud suggest. Such connections reflect religious and economic bonds between Israel and the south. (4) Although we hardly know anything about the Edomite history in the relevant period, the Jacob cycle seems to take a pro-Edom stance and to foster the contacts between Israel and Edom. (5) These contacts were so significant that, in the late sixth century BCE, the Priestly code could still allow and even encourage marriages between Israel, Edom, and Arabs, the old trade-route participants. (6) In terms of the Jacob cycle's literary history, the fact that Jacob is presented as the son of Isaac, located in Beersheba, need not be seen as an element foreign to the northern origin of the cycle. Beersheba was a gateway for the contacts between Israel and Edom. (7) The literary growth of the Jacob

60. Lily Singer-Avitz, "Beersheba: A Gateway Community in Southern Arabian Long-Distance Trade in the Eight Century B.C.E.," *TA* 26 (1999): 3–74.

61. On the sociological backgrounds of this development see the discussion between Nadav Na'aman, "Dismissing the Myth of a Flood of Israelite Refugees in the Late Eighth Century BCE," *ZAW* 126 (2014): 1–14; and Israel Finkelstein, "Migration of Israelites into Judah after 720 BCE: An Answer and an Update," *ZAW* 127 (2015): 188–206.

texts in Gen 25–35 provides a mirror for the political history of Israel and Judah from the ninth to the fourth centuries BCE. The cycle originally served as a legend of the Northern Kingdom's origin. After 720 BCE, the links to Judah became more important (Jacob as the son of Isaac and the father of Israel's twelve tribes). Either after 720 BCE or 587 BCE, the topic of the promises became important not only in the Jacob cycle, but also in the patriarchal narrative as a whole. Rather than seeing Israel's diaspora existence as a divine punishment, the promises instead interpret it as an element of God's plan in history. In the early postexilic period, the P portions in Gen 25–35 transformed the political substance of the earlier Jacob cycle into social regulations regarding intermarriage among the Israelites, Edomites, and Ishmaelites (i.e., Arabs).

Returning the Gift of the Promise: The “Salvation-Historical” Sense of Genesis 22 from the Perspective of Innerbiblical Exegesis

17.1. Introduction

Sarah apparently let out six screams and then died on the spot when she learned from Isaac that Abraham would have slaughtered him had the angel not interfered.¹ This is the way the Jewish midrash narrates it.

1. See Gen. Rab. 58:5 (cf. Str-B 4.1:182). On the further elaborations of Sarah's role in Jewish and Christian tradition, see Sebastian P. Brock, "Sarah and the Aqedah," *Mus* 77 (1974): 67–77; on the further history of interpretation see David Lerch, *Isaaks Opferung christlich gedeutet: Eine auslegungsgeschichtliche Studie*, BHT 12 (Tübingen: Mohr, 1968); Herbert Schmid, *Die Gestalt des Isaak: Ihr Verhältnis zur Abraham- und Jakobtradition*, EdF 274 (Darmstadt: Wissenschaftliche Buchgesellschaft, 1991), 60–64; Robin M. Jensen, "The Offering of Isaac in Jewish and Christian Tradition: Image and Text," *BibInt* 2 (1994): 85–110; Frédéric Manns, ed., *The Sacrifice of Isaac in the Three Monotheistic Religions: Proceedings of a Symposium on the Interpretation of the Scriptures Held in Jerusalem, March 16–17, 1995*, Studium Biblicum Franciscanum Analecta 41 (Jerusalem: Franciscan Printing Press, 1995); Michael Krupp, *Den Sohn opfern? Die Isaak-Überlieferung bei Juden, Christen und Muslimen* (Gütersloh: Kaiser, 1995); Martin B. Bourguine, "Das Opfer Abrahams in jüdischer und christlicher Auslegung: Gen 22,1–19 im Midrasch Bereschit Rabba und in den Genesis-Homilien des Origenes," *Una Sancta* 51 (1996): 308–15; Lukas Kundert, *Gen 22,1–19 im Alten Testament, im Frühjudentum und im Neuen Testament*, vol. 1 of *Die Opferung, Bindung Isaaks*, WMANT 78 (Neukirchen-Vluyn: Neukirchener Verlag, 1998); Kundert, *Gen 22,1–19 in frühen rabbinischen Texten*, vol. 2 of *Die Opferung, Bindung Isaaks*, WMANT 79 (Neukirchen-Vluyn: Neukirchener Verlag, 1998); Bernd Willmes, *Von der Exegese als Wissenschaft zur kanonisch-intertextuellen Lektüre? Kritische Anmerkungen zur kanonisch-intertextuellen Lektüre von Gen 22,1–19*, Fuldaer Hochschulschriften 41 (Frankfurt am Main: Knecht, 2002), 90–105; Edward Noort and

Its biblical point of departure arises from the fact that the first incident reported after Gen 22 at the beginning of chapter 23 is Sarah's death—but only *post hoc* (“after this”) and not *propter hoc* (“because of this”).² How-

Eibert J. C. Tigchelaar, eds., *The Sacrifice of Isaac: The Aqedah (Genesis 22) and Its Interpretations*, TBN 4 (Leiden: Brill, 2002); see also the contributions in the thematic issue “Abraham” from *WUB* 30 (2003).

2. Genesis 22 has been widely discussed; see from the modern period (in addition to the commentaries) Hans-Christoph Schmitt, “Die Erzählung von der Versuchung Abrahams Gen 22,1–19* und das Problem einer Theologie der elohistischen Pentateuchtexte,” *BN* 34 (1986): 82–109; repr., *Theologie in Prophetie und Pentateuch: Gesammelte Schriften*, BZAW 310 (Berlin: de Gruyter, 2001), 108–30; Timo Veijola, “Das Opfer des Abraham: Paradigma des Glaubens aus dem nachexilischen Zeitalter,” *ZTK* 85 (1988): 129–64; John Van Seters, *Abraham in History and Tradition* (New Haven: Yale University Press, 1975), 227–49; Van Seters, *Prologue to History: The Yahwist as Historian in Genesis* (Louisville: Westminster John Knox, 1992), 261–64; S. Prolow and Vladimir Orel, “Isaac Unbound,” *BZ* 40 (1996): 84–91; Hans-Peter Müller, “Genesis 22 und das *mlk*-Opfer: Erinnerungen an einen religionsgeschichtlichen Tatbestand,” *BZ* 41 (1997): 237–46; Jürgen Ebach, “Theodizee: Fragen gegen die Antworten; Anmerkungen zur biblischen Erzählung von der ‘Bindung Isaaks’ (1 Mose 22),” in *Gott im Wort: Drei Studien zur biblischen Exegese und Hermeneutik* (Neukirchen-Vluyn: Neukirchener Verlag, 1997), 1–25; Irmtraud Fischer, “Möglichkeiten und Grenzen historisch-kritischer Exegese: Die ‘Opferung’ der beiden Söhne Abrahams; Gen 21 und 22 im Kontext,” in *Streit am Tisch des Wortes? Zur Deutung und Bedeutung des Alten Testaments und seiner Verwendung in der Liturgie*, ed. Angsar Franz, *Pietas liturgica* 8 (St. Ottilien: EOS, 1997), 17–36; Kundert, *Die Opferung*; Hans-Dieter Neef, *Die Prüfung Abrahams: Eine exegetisch-theologische Studie zu Gen 22,1–19*, *AzTh* 90 (Stuttgart: Calwer 1998); Neef, “‘Abraham! Abraham!’ Gen 22:1–19 als theologische Erzählung,” *JNSL* 24 (1998): 45–62; Georg Steins, *Die “Bindung Isaaks” im Kanon (Gen 22): Grundlagen und Programm einer kanonisch-intertextuellen Lektüre*, HBS 20 (Freiburg im Breisgau: Herder, 1999); Steins, “Abrahams Opfer, Exegetische Annäherungen an einen abgründigen Text,” *ZKT* 121 (1999): 311–24; Steins, “Die Versuchung Abrahams (Gen 22,1–19): Ein neuer Versuch,” in *Studies in the Book of Genesis: Literature, Redaction and History*, ed. André Wénin, BETL 155 (Leuven: Peeters, 2001), 509–19; Siegfried Mittmann, “Ha-Morijja: Präfiguration der Gottesstadt Jerusalem (Genesis 22,1–14.19); Mit einem Anhang: Isaaks Opferung in der Synagoge von Dura Europos,” in *La Cité de Dieu: Die Stadt Gottes*, ed. Martin Hengel, Siegfried Mittmann, and Anna Maria Schwemer, WUNT 129 (Tübingen: Mohr Siebeck, 2000), 67–97; Renate Brandscheidt, “Das Opfer des Abraham (Genesis 22,1–19),” *TTZ* 110 (2001): 1–19; Elizabeth Boase, “Life in the Shadows: The Role and Function of Isaac in Genesis—Synchronic and Diachronic Readings,” *VT* 51 (2001): 312–35; David Volgger, “Es geht um das Ganze: Gott prüft Abraham (Gen 22,1–19),” *BZ* 45 (2001): 1–19; Christa Schäfer-Lichtenberger, “Abraham zwischen Gott und Isaak (Gen 22,1–19),” *WD* 26 (2001): 43–60; Howard Moltz, “God and Abraham in

ever, it requires little historical imagination for one to envision more than merely an impulse had taken hold of the unfathomable nature of the narrative of Gen 22 already in antiquity with Sarah in the midrash.

While the protest against God's command to sacrifice remains on the level of the narrative in Jewish midrash, the assertiveness of modernity turned quite critically against the narrative itself at an early point. According to Immanuel Kant, Abraham should have known that the sacrifice could not have come from God because God could not contradict the moral law. Abraham's answer to God's request should, according to Kant, have been: "The fact that I should not kill my good son is quite certain, but that you, who appears to me are God, about that I am not certain and cannot be, even if it [the voice] rings down from the (visible) heavens."³ The narrative of Gen 22 can be whatever it wants, but God's word does not speak in it.

That was Kant. The Enlightenment reduction of religion to reasonable ethics is, however, outdated. As foreign as the biblical narrative of Gen 22 actually is, the Enlightenment protest against it no longer seems completely familiar. The fact that the Bible is more and otherwise than a preparatory illustration for the principles of reasoned ethics was already made plain by Romanticism with sufficient clarity. And the past century has developed a sense of the characteristic narrative logic of the Bible. Rather than moral imperatives that drive the world toward perfection, experiences that humans have with God stand behind the Bible. And if the literary form is as multivalent and ambivalent as these experiences themselves, then this speaks in favor rather than against the Bible.

The authors of Gen 22, one can safely assume, did not simply invent the God of whom Gen 22 narrates. The narrative instead represents particular experiential dimensions that these authors did not want to and could not keep at a distance from God.

the Binding of Isaac," *JSOT* 96 (2001): 59–69; Omri Boehm, "The Binding of Isaac: An Inner-Biblical Polemic on the Question of 'Disobeying' a Manifestly Illegal Order," *VT* 52 (2002): 1–12; Andreas Michel, *Gott und Gewalt gegen Kinder im Alten Testament*, FAT 37 (Tübingen: Mohr Siebeck, 2003); Otto Kaiser, "Die Bindung Isaaks: Untersuchungen zur Eigenart und Bedeutung von Genesis 22," in *Zwischen Athen und Jerusalem: Studien zur griechischen und biblischen Theologie, ihrer Eigenart und ihrem Verhältnis*, BZAW 320 (Berlin: de Gruyter, 2003), 199–224.

3. Immanuel Kant, "Der Streit der Fakultäten," in *Werke in sechs Bänden*, ed. Wilhelm Weischedel, (Darmstadt: Wissenschaftliche Buchgesellschaft, 1975), 6:333. Unless otherwise noted, all translations are mine.

Yet what drives Gen 22? The history of interpretation has offered quite divergent answers to this question. This results not only from the difficulties, but also from the hermeneutical potentials bound up in this narrative. If one glances at recent scholarship,⁴ it appears that the range of interpretations has not grown narrower. This has less to do with the undisciplined nature of exegetes than with the richness of the text. In this respect, the different approaches to Gen 22 cannot simply be played off against one another (although one can also observe misjudgments), but they can sometimes be thoroughly synthesized with one another.

The following discussion will first consider four main streams in the exegesis of Gen 22 (§17.2) in order to bring them together in relation to the question of innerbiblical reception history (§§17.3–4). The perspective that will move to the fore, which the title of this contribution attempts to describe, naturally is not the only one allowed for in Gen 22—especially because this perspective in itself calls for further precision. However, the innerbiblical relationships on display in the following discussion show that it concerns a primary content in the forefront of the narrative.

With regard to the controversially debated history of the origins of Gen 22, the most recent study by Otto Kaiser has clearly emphasized unavoidable points that the following discussion can follow: One should “give up on all attempts to reconstruct or postulate an earlier version behind the present one of Gen 22 that would either preserve a prehistorical event or a corresponding cult etiology.”⁵ The basic inventory of the narrative, which never stood on its own (see below, §17.4), but was written from the

4. Cf. the overview of the portrayal in Steins, “Abrahams Opfer.”

5. Kaiser, “Die Bindung,” 217: “alle Versuche aufgeben, hinter der vorliegenden Fassung von Gen 22 eine ältere zu rekonstruieren oder zu postulieren, die entweder die Erinnerung an ein vorgeschichtliches Ereignis oder eine entsprechende Kultätologie bewahrt hätte.” Particularly worthy of mention is the rejection of the methodologically uncontrollable composition-critical experiments by Kundert, *Die Opferung*, 31–32, 43; and Boehm, “Binding of Isaac,” who “re”constructs from the Gen 22 literary texts in which Isaac was actually sacrificed (Kundert) or rather that Abraham resists the command to sacrifice (for critique see also Michel, *Gott und Gewalt*, 248–49). On the earlier attempts by Henning Graf Reventlow, *Opfere deinen Sohn: Eine Auslegung von Gen 22*, BibS(N) 53 (Neukirchen-Vluyn: Neukirchener Verlag, 1968); Rudolf Kilian, *Isaaks Opferung: Zur Überlieferungsgeschichte von Gn 22*, SBS 44 (Stuttgart: Katholisches Bibelwerk, 1970); see the critique in Erhard Blum, *Die Komposition der Vätergeschichte*, WMANT 57 (Neukirchen-Vluyn: Neukirchener Verlag 1984), 320–21 n. 53.

outset for its context, appears in 22:1–13 (and possibly 14),⁶ 19a. On the other hand, 22:15–18—contrary to the minority opinions of, for example, George Coats, John Van Seters, Hugh White, T. Desmond Alexander, Gordon Wenham, Georg Steins, and Renate Brandscheidt⁷—represents a secondary expansion, as most recently concluded once again by Erik Aurelius and Andreas Michel.⁸ The most prevelant argument against the elimination of 22:15–18, is that without this second promise, the clearly detached new beginning and שְׁנִית, Abraham's test remains without a goal⁹ such that he “only” receives his son back. This position misunderstands the theological gravity of the mercy shown to the Isaac as the promise-bearer (see below, §17.4). The conceptual shift that takes place in the wake of 22:15–18 for the patriarchal narratives as a whole speaks particularly in favor of a diachronic displacement that can be read off the textual origins of this piece: “In detail, vv. 17aα results from 12:2 and 15:5; v. 17b from 24:60; v. 18a from 12:3 and 18:18. New are the justifications of vv. 16bα and 18b. They permanently change the character of the so far unsubstantiated promises to the patriarches.”¹⁰

6. On 22:12bβ see n. 73, below. Kaiser (“Die Bindung,” 216–17; as well as Müller, “Genesis 22 und das *mlk*-Opfer,” 237) excludes 22:14 completely in literary-historical terms in contrast to the dismissal of 22:14b alone, but the choice remains uncertain in light of the cloudy understanding of the verses as a whole. On Alfred Marx, “Sens et fonction de Gen. XXII 14,” VT 51 (2001): 199–201; see Michel, *Gott und Gewalt*, 267–69 and n. 114.

7. George W. Coats, “Abraham's Sacrifice of Faith: A Form-Critical Study of Genesis 22,” *Int* 27 (1973): 389–400; Van Seters, *Abraham in History*, 239; Hugh C. White, “The Initiation Legend of Isaac,” ZAW 91 (1979): 11, 27–28; T. Desmond Alexander, “Gen 22 and the Covenant of Circumcision,” *JSOT* 25 (1983): 17–22; Gordon J. Wenham, *Genesis 16–50*, WBC 2 (Dallas: Word, 1994), 102; Steins, *Die “Bindung Isaaks,”* 104–14, 220; further Michel, *Gott und Gewalt*, 254 n. 51; Brandscheidt, “Das Opfer des Abraham,” 14–15 and n. 20.

8. Erik Aurelius, *Zukunft jenseits des Gerichts: Eine redaktionsgeschichtliche Studie zum Enneateuch*, BZAW 319 (Berlin: de Gruyter, 2003), 190–98; Michel, *Gott und Gewalt*, 270–71.

9. Jean-Louis Ska, “Essay on the Nature and Meaning of the Abraham Cycle (Gen 11:29–25:11),” in *The Exegesis of the Pentateuch: Exegetical Studies and Basic Questions*, FAT 66 (Tübingen: Mohr Siebeck, 2009), 35 n. 43: “The angel is speaking for the second time (22:15), while he could have said everything the first time (22:11–12).”

10. Christoph Levin, *Der Jahwist*, FRLANT 157 (Göttingen: Vandenhoeck & Ruprecht, 1993), 178: “Im einzelnen stammt V.17aα aus 12,2 und 15,5; V.17b aus 24,60; V.18a aus 12,3 und 18,18. Neu sind die Begründungen V.16bα und 18b. Sie verändern

17.2. The History of Interpretative Approaches to Genesis 22¹¹

17.2.1. The History of Religions Interpretation (Hermann Gunkel)

One can often observe how theological problems of a text are widely treated and its meaning derived in a religious-historical manner such that afterward the problem is viewed as having been resolved. Gunkel's interpretation of Gen 22 offers an especially impressive example of this perspective.¹² With his predecessors, Gunkel saw the original meaning of the narrative as the rejection of child sacrifice. Behind Gen 22 was a pre-Israelite cult legend that must have told how a father, like many of us, desired to offer his son to a deity, but that deity himself stopped him, instructing him to bring an animal instead of a child as a substitute offering, thereby abolishing child sacrifice. From a religious-historical perspective, the supposed inhumanity of the narrative inverts itself virtually into its opposite. Genesis 22 does not tell of a cruel God that demands child sacrifice, but rather one who rejects this in favor of animal sacrifice.

There have been few results from critical biblical exegesis that have encountered as positive a reception as this religious-historical deliverance of Gen 22. However, as attractive as this interpretation appears, it is just as untenable, as has in the meantime also become widely admitted.¹³ What are its problems?

nachhaltig den Charakter der bisher stets unbegründeten, d.h. unbedingten Väterverheissungen"); see also Kaiser, "Die Bindung," 213–17.

11. See n. 4 above.

12. Hermann Gunkel, *Genesis: Übersetz und erklärt*, 6th ed., HKAT 1.1 (Göttingen: Vandenhoeck & Ruprecht, 1964), 240–42; cf. Heinrich Holzinger, *Genesis*, KHC I (Freiburg im Breisgau: Mohr, 1898), 165: "Gen 22:1–19 is therefore a decisive narrative against human sacrifice" ("Gen 22,1–19 ist dann eine gegen das Menschenopfer sich aussprechende Tendenzerzählung"). See the note in Timo Veijola ("Das Opfer des Abraham," 157 n. 152) and Lerch (*Isaaks Opferung christlich gedeutet*, 221) to Johannes Clericus (1657–1736); further earlier representatives appear in Otto Kaiser, "Den Erstgeborenen deiner Söhne sollst du mir geben," in *Von der Gegenwartsbedeutung des Alten Testaments* (Göttingen: Vandenhoeck & Ruprecht, 1984), 145–46 n. 11; Steins, *Die "Bindung Isaaks"*, 108–9.

13. See, e.g., Walther Zimmerli, *1. Mose 12–25, Abraham*, ZBK 1.2 (Zurich: TVZ 1976), 110; Irmtraud Fischer, *Gottesstreiterinnen: Biblische Erzählungen über die Anfänge Israels* (Stuttgart: Kohlhammer, 1995), 57–69; Fischer, "Die Lebensprobe des Abraham: Gen 22 im Kontext der Frauentexte der Erzelternerzählungen," *BL* 72 (1999): 199–214; Christian Eberhart, *Studien zur Bedeutung der Opfer im Alten*

First, not even the smallest critique of child sacrifice shines through in Gen 22. On the contrary, what counts according to the narrative is only that Abraham was actually prepared to offer his son. He was summoned to this and is also explicitly praised for this in 22:12.¹⁴

In addition, from the very beginning, the narrative itself assumes that sacrifices fundamentally consist of animal sacrifices. Isaac asks his father: "Here is the fire and the wood, but where is the sheep for sacrifice?" (22:7). The narrative therefore in no way moves in the direction of the establishment of animal offering, but instead already presupposes this as customary. Genesis 22 concerns an exceptional text, and the command to sacrifice a child is revealed as a particularly extraordinary and anything but common procedure.

Finally, it must also be charged against the religious-historical result that child sacrifice in ancient Israel has never been historically established with sufficient probability. Supporting archaeological and epigraphic material can only be produced for the Phoenicians and Punics.¹⁵ Several possible historically analyzable notes of a child sacrificial practice for Israel's neighboring peoples such as Moab (2 Kgs 3:27) exist, but these could also be explained completely by the Deuteronomistic topos of the iniquities of the nations.

The evidence for ancient Israel itself is, as has recently again been emphasized,¹⁶ while not completely unequivocal, still can consistently

Testament: Die Signifikanz von Blut- und Verbrennungsriten im kultischen Rahmen, WMANT 94 (Neukirchen-Vluyn: Neukirchener Verlag, 2002), 206 n. 3 (bibliography); but cf. Müller, "Genesis 22 und das *mlk*-Opfer," 237–46; Volgger, "Es geht um das Ganze," 13–16.

14. See also 22:16–17.

15. See KAI 47; 61A; 79; 98–99; 162–63. For discussion see Shelby S. Brown, *Late Carthaginian Child Sacrifice and Sacrificial Monuments in Their Mediterranean Context*, JSOT/ASOR Monograph Series 3 (Sheffield: Sheffield Academic, 1991); Frank M. Cross, "A Phoenician Inscription from Idalion: Some Old and New Texts Relating to Child Sacrifice," in *Scripture and Other Artifacts: Essays on the Bible and Archaeology in Honor of Philip J. King*, ed. Michael D. Coogan et al. (Louisville: Westminster John Knox, 1994), 93–107 as well as the bibliography in nn. 23–27.

16. Human/child sacrifice is assumed by, e.g., Müller, "Genesis 22 und das *mlk*-Opfer"; Thomas Römer, "Le sacrifice humain en Juda et Israël au premier millénaire avant notre ère," *Archiv für Religionsgeschichte* 1 (1999): 17–26; Edward Noort, "Genesis 22: Human Sacrifice and Theology in the Hebrew Bible," in Noort and Tigchelaar, *The Sacrifice of Isaac*, 6–14; Kaiser, "Die Bindung," 219–22; Michel, *Gott und Gewalt*, 287–94 (each with bibliography).

be explained by alternative interpretations. The ritual of the tophet¹⁷ in the Hinnom Valley in which children were said to “go through the fire,” often interpreted as child sacrifice, more likely has in view a dedication ritual than an instance of human sacrifice¹⁸ (the possible reception, or first stylization,¹⁹ as child sacrifice itself results from the Deuteronomistic abhorrence toward this ritual). The tragic event of Jephthah’s daughter in Judg 11 is more likely explained from the literary-cultural encounter with Greek tragedy than from such a religious-historical background.²⁰ The designation of the firstborn in the biblical legal traditions can hardly be connected with child sacrifice historically.²¹

However, these points as a whole only concern preliminaries. One does not need to uncover a religious-historically uncertain judgment on the practice of child sacrifice in order to determine that the interpretation of Gen 22 as a narrative of the replacement of child sacrifice by animal sacrifice connected with the name of Gunkel proves inadequate. Even if it would

17. Cf. J. Andrew Dearman, “The Tophet in Jerusalem: Archaeology and Cultural Profile,” *JNSL* 22 (1996): 59–71.

18. See Karen Engelken, “Menschenopfer im Alten Orient und im Alten Testament,” in *Genesis II/1: Vätergeschichte* (11,27–22,24), by Horst Seebass (Neukirchen-Vluyn: Neukirchener Verlag, 1997), 206 (with reference to Jürgen Ebach and Udo Rüterswörden, “ADRMLK, ‘Moloch’ und BA’AL ADR,” *UF* 11 [1979]: 222; Moshe Weinfeld, “The Worship of Molech and the Queen of Heaven and Its Background,” *UF* 4 [1972]: 133–54; Weinfeld, “Burning Babies in Ancient Israel,” *UF* 10 [1978]: 411–12); Blum, *Die Komposition der Vätergeschichte*, 327 and n. 97; Rainer Albertz, *Religionsgeschichte Israels in alttestamentlicher Zeit*, GAT 8.1–2 (Göttingen: Vandenhoeck & Ruprecht, 1992), 297–301; Klaas A. D. Smelik, “Moloch, Molekh or Molk-Sacrifice? A Reassessment of the Evidence concerning the Hebrew Term Molekh,” *SJOT* 9 (1995): 133–42; Wolfgang Zwickel, “Menschenopfer,” *NBL* 10:765–66. Differently George C. Heider, *The Cult of Molek: A Reassessment*, JSOTSup 43 (Sheffield: JSOT Press, 1985), 174–203; Heider, “Molech,” *DDD*, 1090–97; John Day, *Molech: A God of Human Sacrifice in the Old Testament*, UCOP 41 (Cambridge: Cambridge University Press, 1989), 46–71; Kaiser, “Den Erstgeborenen”; Kaiser, “Die Bindung,” 220 n. 107 (see bibliography); Römer, “Le sacrifice humain”; Michel, *Gott und Gewalt*, 287–94; for discussion see further Schäfer-Lichtenberger, “Abraham zwischen Gott und Isaak,” 48–49; Volgger, “Es geht um das Ganze,” 13–16.

19. See Smelik, “Moloch, Molekh or Molk-Sacrifice?”

20. See Thomas Römer, “Why Would the Deuteronomists Tell about the Sacrifice of Jephthah’s Daughter?,” *JSOT* 77 (1998): 27–38. Römer reckons that Judg 11 is literally dependent on Gen 22 (32; see Michel, *Gott und Gewalt*, 300–302).

21. See Steins, *Die “Bindung Isaaks,”* 181–85; different is Römer, “Le sacrifice humain,” 20–21.

be correct in terms of the religious history, it would still only concern the prehistory of the current narrative.²² Gunkel himself even recognizes this, holding that the present form of the narrative is “*only* [sic!] the portrait of a personality,” in order then, both significantly and elaborately, to move on to the earlier meaning of the narrative—the replacement of child sacrifice by animal sacrifice—that he found both interesting and fascinating.²³

Gunkel’s interpretation to a certain degree reflects his moment in time, when the history of religions school dominated biblical studies. With the retreat of its influence already before and then completely after the Second World War, the fixation on the stages of the oral prehistory of narratives loosened and other perspectives gained ground.

17.2.2. The Salvation-Historical Interpretation (Gerhard von Rad)

Von Rad’s well-known interpretation of Gen 22 functionally continues the corresponding section of his commentary on Genesis.²⁴ It also appears as an individual study with the striking but factually appropriate²⁵ title “The Sacrifice of Abraham.”²⁶ His interpretation reads like a programmatic declaration against Gunkel. Von Rad writes: “For the understanding of the present narrative, we will hardly promote the recognition of the prehistory of the material.”²⁷ Yet more pointed, he writes on Gen 22 earlier in his *Theology of the Old Testament*: “The theologian will realise which of the two

22. See Schmitt, “Die Erzählung von der Versuchung Abrahams,” 83–84 and n. 4; Veijola, “Das Opfer des Abraham,” 157: “the meaning of the narrative is sought behind the text in the religious history, and the meaning found there is then made into the highly stylized message of the text” (“der Sinn der Erzählung wird hinter dem Text in der Religionsgeschichte gesucht, und der so gefundene Sinn wird dann zur eigentlichen Botschaft des Textes hochstilisiert”).

23. Gunkel, *Genesis*, 240: “*nur* [sic!] ein Charaktergemälde”; he continues: “polemic against child sacrifice ... is, therefore, quite distant here; it does not speak of wrath and disgust against this dark custom” (“Polemik gegen das Kinderopfer ... liegt demnach hier gänzlich fern; von Zorn und Abscheu gegen diesen finsternen Brauch ist nicht die Rede”). See further Gunkel, *Genesis*, 240–42.

24. Gerhard von Rad, *Das erste Buch Mose: Genesis*, ATD 2–4 (Göttingen: Vandenhoeck & Ruprecht, 1952–1953), 203–9.

25. Cf. J. Alberto Soggin, *Das Buch Genesis: Kommentar*, trans. Thomas Frauenlob (Darmstadt: Wissenschaftliche Buchgesellschaft, 1997), 306.

26. Gerhard von Rad, *Das Opfer des Abraham*, 2nd ed., Kaiser Traktate 6 (Munich: Kaiser, 1976).

27. Von Rad, *Das Opfer*, 26.

he has to decide to follow: it is the voice with which the stories speak now, and not the obscure overlaid remains of a much older traditional material, however much interest it may hold—its voice is now silent.”²⁸

What is the proclamation of the narrative of Gen 22 if its meaning is not to be seen in the replacement of child sacrifice by animal sacrifice? Contrary to Gunkel’s interpretation of the present text, von Rad saw quite clearly that this narrative does not concern the “portrait of the personality” of Abraham, which simply glorifies blind obedience that could in principle have been tested by other means. The command to sacrifice *Isaac* instead brings into view a specific theological dimension: “The child granted by God after a long delay, the only link that could lead to the promised enlargement of Abraham’s seed, is to be returned to God as a sacrifice.”²⁹ What is required of Abraham is, therefore, that he also return God’s promises to him with the sacrifice of his son. It concerns not simply Abraham’s relationship to Isaac but also his relationship with God: he is to sacrifice his son and thereby destroy the promise given to him about becoming a great nation that would take possession of a land. This is what is at play in Gen 22. The narrative articulates this double test of Abraham, but also the threat that stands over Isaac and the promise of increase attached to his person until the very last moment.

This “salvation-historical interpretation by von Rad”³⁰ unfolds as powerfully convincing so long as the Documentary Hypothesis remains largely uncontested. Genesis 22 is reckoned the work of the Elohist and was therefore bound in, and interpreted in light of, a great salvation-historical sequence from the promises to the ancestors to the depiction of the

28. Gerhard von Rad, *Old Testament Theology*, trans. David Stalker, 2 vols. (New York: Harper, 1962–1965), 1:174; the 8th German edition (Munich: Kaiser, 1982–1984) reads: “Der Theologe wird wissen, wofür er sich zu entscheiden hat: Für die klare Aussage [der Jetztgestalt] und nicht für die dunklen überdeckten Reste einer viel älteren Überlieferungsstufe; denn wie interessant diese auch immer sein mögen, eine Aussage geht von ihnen nicht mehr aus” (1:187).

29. Von Rad, *Genesis*, 189: “Das von Gott nach langem Verzug geschenkte Kind, das einzige Bindeglied, das zu der verheissenen Grösse des Samens Abrahams führen kann, soll Gott im Opfer wieder zurückgegeben werden”; see the incidental remark already made by Gunkel, *Genesis*, 236: “From the context of the Abraham story there is also the fact that all the divine promises would tumble with Isaac’s death” (“Aus dem Zusammenhang der Abrahamsgeschichten kommt hinzu, dass mit Isaacs Tode alle Verheissungen Gottes hinfallen würden”).

30. Schmitt, “Die Erzählung von der Versuchung Abrahams,” 85.

exodus and the no longer preserved but expected report of the possession of the land. The Elohist therefore narrates the fulfillment of God's promises through all conceivable and fundamental threats.

However, von Rad's interpretation, at least with the intended literary-historical profile, also quickly reveals itself as problematic when the hypothesis of the Elohist historical work proved rather shaky, even before the beginning of the considerable upheavals in pentateuchal scholarship in the 1970s. The few fragments accorded to the Elohist could only be interpreted as parts of an originally independent narrative source through quite incredible arguments. It appears that they, following the currently common hypothesis, do not concern material with the character of a source but rather a redactional nature. Two points arise as especially difficult for Gen 22: the first is that God appears not only as Elohim (vv. 8–9, 12–13) but also as YHWH (vv. 11, 14a). Interpreters have attempted to explain that Elohim was secondarily replaced by YHWH in 22:11, 14a.³¹ But why does it appear specifically in 22:11 and 14a? Why not at different places? The second is that the salvation-historical interpretation of Gen 22 within the framework of E must assume that Gen 15 can also be attributed to E. For only here does a promise of increase appear within the framework of putative E that could then come under threat in Gen 22. The assumption of the assignment of Gen 15 to E was popular for a long time because the text clearly did not belong to either J or P as something of a triplet to Gen 12:1–3 (J) and Gen 17 (P). Therefore, according to the logic of the Documentary Hypothesis, it must belong to E, but this attribution, relying especially on the principle of subtraction, founders already on the fact that God in Gen 15 is never designated Elohim but consistently YHWH. Therefore, it does not fit the Elohist as a whole nor with the attribution of Gen 22 (and 15) to it. In sum, both are untenable theses.³²

31. See Gunkel, *Genesis*, 238–40. See now for 22:14 there is at least 4Q1 (4QGen-Exod^a), frag. 1 (א[ה]ל[ה]ים) instead of יהוה (James Davila, "The Name of God at Moriah: An Unpublished Fragment from 4QGenExod^a," *JBL* 110 [1991]: 577–82; see Eugene Ulrich et al., *Qumran Cave 4. VII: Genesis to Numbers*, DJD XII [Oxford: Clarendon, 1994], 11).

32. This evaluation also holds true in the opinion of Axel Graupner, *Der Elohist: Gegenwart und Wirksamkeit des transzendenten Gottes in der Geschichte*, WMANT 97 (Neukirchen-Vluyn: Neukirchener Verlag, 2002). His defense of the traditional source model—with the main argument being the coincidence of the YHWH/Elohim syndrome with textual doublets (4, 7–8 and often)—is correct for the differentiation

What does the renunciation of the hypothesis of an Elohist historical work mean for Gen 22? Genesis 22 then had no place in terms of source criticism, so it should not be surprising that Gen 22 again came to be interpreted much more as an individual narrative concerning the testing of God-fearing Abraham and his suffering. In terms of the history of scholarship, interpreters returned—without the suggestion of von Rad himself³³—back to Gunkel,³⁴ which meant not only a chronological but also an actual step backwards. For the salvation-historical contextual interpretation by von Rad as such was not completely dependent on the Elohist theory. It could certainly be modified in redaction-historical terms. In any case, after the dismissal of E, Gen 22 again became an independent narrative, and interpreters attempted to support this from the text itself. For example, Claus Westermann writes in discussion with von Rad: “It should be noted that with the addition: ‘your only, whom you love’ [in the command to sacrifice], the relationship between the father and his child is emphasized, but it is not indicated that he is ‘the son of the promise.’”³⁵ Westermann thereby removes Gen 22 from the readerly sequence and inaugurates a new approach to this narrative that continues

between P and non-P, but not for the classic J–E distinction in the sense of the Documentary Hypothesis (cf. the only conditionally meaningful “model examples” [“Musterbeispiele”] from the pre-Priestly Tetrateuch [p. 7] present the plausible explanations within the framework of a redactional supplementary solution).

33. Cf. von Rad, *Genesis*, 203: “Also this narrative—the most flawless and cryptic of all the ancestral stories, only has a loose connection to what precedes it, thereby allowing for the recognition that it surely existed independently for a long time before finding its place in the great narrative work of the Elohist” (“Auch diese Erzählung—die formvollendetste und abgründigste aller Vätergeschichten hat nur einen sehr lockeren Anschluss an das Vorhergegangene und lässt schon daran erkennen, dass sie gewiss lange Zeit ihre Existenz für sich hatte, ehe sie ihren Ort in dem grossen Erzählungswerk des Elohisten gefunden hat”); see also n. 36, below.

34. This is also the case for the presupposition that the replacement of child sacrifice by animal sacrifice was originally behind Gen 22, which Claus Westermann (*Genesis 12–36*, BKAT 1.2 [Neukirchen-Vluyn: Neukirchener Verlag, 1981], 429–47) adopts from Gunkel, though he foregoes the analogous reconstruction.

35. Westermann, *Genesis 12–36*, 437: “Es ist zu beachten, dass mit der Hinzufügung: ‘deinen einzigen, den du liebhas’ die Beziehung des Vaters zu seinem Kind hervorgehoben, aber nicht angedeutet wird, dass er ‘der Sohn der Verheissung’ ist”; see also Schmitt, “Die Erzählung von der Versuchung Abrahams,” 85–86. For critique of this argument see n. 61, below.

to be practiced today, interpreting it *de facto* as a discrete individual text,³⁶ even when its connection to its literary context is admitted.

17.2.3. Genesis 22 as a Narrative of Faith (Timo Veijola)

In 1988 Veijola presented a dense interpretation of Gen 22 that basically still remains in this tradition despite its circumspect discussion.³⁷ He dates the text to the Persian period and points to basic connections to late pieces like Gen 12:1–4a and 15:4–5.³⁸ However, what he essentially offers consists of an impressive close reading that demonstrates a certain similarity to the interpretation by Erich Auerbach as an individual narrative.³⁹ Veijola pays special attention to the narrative elements of Gen 22 that show it not only concerns obedience, but rather Abraham's trust, or, as Veijola says, "faith" ("Glauben"). This constitutes Abraham's initial answer to his son's question on the way to the place of sacrifice about the whereabouts of the animal for sacrifice. Abraham answers, "God will see to a sacrificial animal for the burnt offering (22:8)."⁴⁰ According to Veijola, Abraham's answer does not consist of a white lie, but actually represents his trust that it will not come to the killing of his son. This contention receives confirmation through the instruction that Abraham gives to his servants in 22:5: "I and the boy, we will go there and worship and return again to you." Within this concisely depicted narrative, such a detailed speech by Abraham is astonishing; a

36. Independent earlier stages of Gen 22 are assumed by, e.g., Blum, *Die Komposition der Vätergeschichte*, 330: "The uniqueness and the coherence of the narrative doubtlessly point to a context-independent standalone tradition" ("Diese Einzigartigkeit und die Geschlossenheit der Erzählung deuten zweifellos auf eine kontextunabhängige Einzelüberlieferung"); and Levin, *Der Jahwist*, 176.

37. Veijola, "Das Opfer des Abraham." See also Veijola, "Abraham und Hiob: Das literarische Verhältnis von Gen 22 und der Hiob-Novelle," in *Vergegenwärtigung des Alten Testaments: Beiträge zur biblischen Hermeneutik; Festschrift für Rudolf Smend*, ed. Christoph Bultmann, Walter Dietrich, and Christoph Levin (Göttingen: Vandenhoeck & Ruprecht, 2002), 127–55.

38. Veijola, "Das Opfer des Abraham," 150 and 155.

39. Erich Auerbach, *Mimesis: The Representation of Reality in Western Literature*, trans. Willard R. Trask (Princeton: Princeton University Press, 2003), 3–23.

40. See on נֶשֶׁךְ as "a head of small cattle," Veijola, "Das Opfer des Abraham," 160–61 and n. 172 (referring to Wilhelm Gesenius and Frants Peder William Buhl, *Hebräisches und aramäisches Handwörterbuch über das Alte Testament*, 16th ed. [Leipzig: Vogel, 1915], 780a).

simple send off of the servants would have sufficed for the progression of the events. The narrator apparently intends to place a specific emphasis at this point: Abraham trusts that he will return once again with Isaac.⁴¹

Therefore, Gen 22 does not merely concern a test of Abraham's obedience. It instead demonstrates that Abraham's trust in God forms the basis of his obedience, supporting or even enabling it. At this point one should not succumb to the temptation to play off obedience against trust in an antiauthoritarian manner. The speech by the angel in 22:12 unmistakably maintains that Abraham's fear of God consists in giving up his only son and not in reckoning with the revocation of the command to sacrifice at the last second, trusting that God would not allow it to come to the extreme action.⁴²

On the whole, Veijola's noteworthy interpretation highlights the internal emphases of the narrative as such in a felicitously dense summary. At the same time, however, one cannot ward off the impression of a certain fixation on a particular pericope. The contextual meanings established especially by von Rad remain somewhat marginalized.

17.2.4. The Canonical Interpretation of Genesis 22 (Georg Steins)

The more recent detailed treatment of Gen 22 within the framework of the habilitation monograph by Steins in Münster, Germany can be interpreted as something of the counter movement of the pendulum. Steins takes stock of the various intertextual connections of Gen 22 within the framework of the Pentateuch, thereby approaching Gen 22 entirely from the surrounding context. Steins surveys what he calls "canonical-intertextual constellations"⁴³ in Gen 22 with texts like Gen 12:1–9; 21:1–21; Exod 19–24; Deut 8:2–6; Lev 8–9; 16 // Exod 29:38–46; Deut 12; and Exod 3–4. The different constellations have paradigmatic character; naturally one can reckon with a number of further possible contextualizations both

41. See also Schmitt, "Die Erzählung von der Versuchung Abrahams," 94 with nn. 56–58 (for references).

42. See below.

43. Steins, *Die "Bindung Isaaks,"* 133–213 ("kanonisch-intertextuelle Konstellationen"). Critical responses to Steins appear in Willmes, *Von der Exegese*; Brevard S. Childs, "Critique of Recent Intertextual Canonical Interpretation," *ZAW* 115 (2003): 173–84.

within and beyond the Pentateuch.⁴⁴ Even if Steins's primary interest does not lie in an evaluation of the history of formation with regard to the references he surveys, there is also a possibility in this regard: "It is most plausible in my view to explain the similarities discovered in the canonical-intertextual readings as the author of Gen 22 consciously alluding to these texts.... This thesis implies that Gen 22 belongs to the latest texts in the Pentateuch."⁴⁵

Steins's study is likely correct with regard to the high degree of intertextuality and the late date of Gen 22. Its merit lies in highlighting specific content of the narrative that becomes especially recognizable when Gen 22 is read in light of other texts. However, the crucial limitation of this investigation also lies exactly in this point. The various possibilities for the contextualization of Gen 22 are, one might say, listed in encyclopedic manner next to one another. The weighing of the functional points of view of these references, namely developed from Gen 22, plays a subordinate role. Steins does, however, emphasize one moment in particular: "The divine relationship endowed on Sinai in the establishment of the cult (cf. Exod 19:3ff. and Exod 29:45–46) is already taken for granted in the anticipation by Abraham."⁴⁶ Furthermore, "Gen 22 is therefore readable as a prolepsis to Sinai: The great conception of Israel's divine encounter in the law and in the cult are telescoped and to a certain degree 'brought forward'

44. Steins, *Die "Bindung Isaaks,"* 216–17.

45. Steins, *Die "Bindung Isaaks,"* 217: "Am plausibelsten lassen sich meines Erachtens die in den kanonisch-intertextuellen Lektüren entdeckten Übereinstimmungen damit erklären, dass der Autor von Gen 22 bewusst auf diese Texte angespielt hat.... Diese These impliziert, dass Gen 22 zu den jüngsten Texten im Pentateuch gehört"; see also 223: "According to these insights, Gen 22 can be understood as a late expansion of an already very well developed Pentateuch. The Priestly and Deuteronomistic traditions have already been combined long before in this Pentateuch" ("Gen 22 kann also nach diesen Erkenntnissen als späte Erweiterung eines schon sehr weit entwickelten Pentateuch verstanden werden. In diesem Pentateuch sind die priesterliche und die deuteronomistische Tradition schon längst zusammengeführt"). In terms of methodology, however, one should investigate whether a synchronic survey of intertextual references in a text does not necessarily induce the characterization of the text under investigation as the receiving text from a diachronic perspective. For the—esp. suggestive from theological-historical reasons—diachronic judgment by Steins, additional argumentation should be introduced to reach a level of sufficient plausibility.

46. Steins, *Die "Bindung Isaaks,"* 201: "Das am Sinai mit der Einrichtung des Kultes gestiftete Gottesverhältnis (vgl. Ex 19,3ff und Ex 29,45f) ist bereits in einer Vorwegnahme Abraham gewährt."

to Abraham. Abraham anticipates what will be imparted to Israel on Sinai, and Israel can in reality always invoke this.”⁴⁷

The reason for the foregrounding of this moment in Steins’s interpretation arises primarily from the fact that the references to the Sinai pericope take on a qualitative leading position. This evidence is quite substantial. Nevertheless, Gen 22 sets other accents on its textual surface that are more important than the subcutaneous references, so to speak, that Steins observed. However, the surface of the text with the substance of its content, connections, and references still remain decisive for the contextual constitution of the meaning. On this level, the connections to Gen 12 and 21 rather than with the Sinai pericope manifestly appear in the foreground.⁴⁸

The indisputable merit of Steins’s work lies in having made the contextual interconnectedness of Gen 22 clear. For numerous decades, the exegesis of Genesis has stood under the shadow of Gunkel’s judgment—“Genesis is a collection of sagas”⁴⁹—and viewed the narratives of Genesis essentially as stand-alone pericopes. The splitting of the narrative material of Genesis into standalone pericopes from the outset, which were then only connected with one another by means of negligible redactional measures is a methodological choice that, while in many cases significantly supporting an accurate understanding of the particular standalone pericope, did not allow for the consideration of a whole series of contextual meaning potential. Yes, the composition-critical work on the ancestral narratives of Genesis was virtually controlled by the expectation that a formerly independent standalone saga must be hidden behind every scene. As a result, by freeing the texts in composition-critical terms from their contextual connections, one found confirmation of what one

47. Steins, “Abrahams Opfer,” 322: “Gen 22 wird so lesbar als Sinaiprolepse: Die grossen Konzepte der Gottesbegegnung Israels im Gesetz und im Kult werden ineinandergeschoben und gewissermassen auf Abraham ‘vorverlagert.’ Abraham nimmt vorweg, was Israel am Sinai mitgeteilt werden soll; und Israel kann sich immer wieder auf die Tat dieses einen berufen”; cf. Steins, *Die “Bindung Isaaks,”* 237–38.

48. See below, §17.3.1; Steins, *Die “Bindung Isaaks,”* 162. Cf. Michel, *Gott und Gewalt*, 304 n. 289: “The other ‘intertexts’ treated by Steins [beyond Gen 12 and 21] drop off considerably in comparison with regard to their plausibility” (“Die anderen von Steins bearbeiteten ‘Intertexte’ ... fallen in ihrer Plausibilität demgegenüber deutlich ab”). In addition, I consider the referential connection to 2 Chr 3 fundamental because it makes the articulation of Moriah explicit; see below, §17.3.4.

49. Gunkel, *Genesis*, viii [“die Genesis ist eine Sammlung von Sagen”].

sought: it concerns a standalone saga. In a whole series of cases, this was also accurate, but in many other cases it was not. Even for pieces earlier seen almost unquestionably as standalone texts like Gen 28:10–22,⁵⁰ or the material from the entire Abraham cycle,⁵¹ scholarship now debates whether they—at least as literarily tangible elements—did not emerge from the beginning within the framework of a larger context. One must at least remain open to the possibilities, from the perspective of formation history, not immediately evaluating pieces that appear as semiautonomous as coming from standalone narratives. One must instead also reckon with the fact that they could concern contextually bound literary supplements carried out in blocks.

This appears exactly to be the case for Gen 22, which the following discussion will demonstrate. In doing so, the reception of the Abraham narratives of Gen 12–21 will appear in the foreground (§17.3.1), while two further domains of contributing texts will also be treated (§§17.3.2 and 17.3.3), that were significant for the formulation of Gen 22.⁵²

17.3. Redactional Reception in Genesis 22

17.3.1. The Reception of the Abraham Narratives (Gen 12–21) in Genesis 22

The fact that there is hardly another way to approach Gen 22 except from its context appears already in the introductory verse 1aα of Gen 22 with total

50. See now Erhard Blum, “Noch einmal: Jakobs Traum in Bethel; Genesis 28,10–22,” in *Rethinking the Foundations: Historiography in the Ancient World and in the Bible; Essays in Honour of John Van Seters*, ed. Steven L. McKenzie and Thomas Römer, BZAW 294 (Berlin: de Gruyter, 2000), 33–54; Reinhard G. Kratz, *Die Komposition der erzählenden Bücher des Alten Testaments: Grundwissen der Bibelkritik*, UTB 2157 (Göttingen: Vandenhoeck & Ruprecht, 2000), 273.

51. See David M. Carr (*Reading the Fractures of Genesis: Historical and Literary Approaches* [Louisville: Westminster John Knox, 1996], 203–4) and Kratz (*Die Komposition*, 279), e.g., for a redactional interpretation of the Abraham cycle.

52. Brandscheidt (“Das Opfer des Abraham,” 6–7) understands Gen 22 as a theologically formed instructional narrative emanating from Mic 6:6–8. There are striking substantive points of contact between Mic 6:6–8 and Gen 22 that make a connection to Gen 22—in whichever direction diachronically determined—worth exploring (cf. just Mic 6:7: “Should I offer my firstborn for my transgression?”). However, if one views Gen 22 as a narrative but determined by the same functional configuration as Mic 6:6–8, then one misjudges the theological problem of Gen 22.

clarity: “And it came to pass after these events” (וַיְהִי אַחֵר הַדְּבָרִים הָאֵלֶּה).⁵³ Patently no stand-alone narrative begins in this manner; on the contrary, Gen 22 appears quite closely connected to what comes before it in the present text. From a diachronic perspective, however, it is especially significant that this opening statement cannot be separated out as secondary. Were this the case, Gen 22 would need to begin with the inverted verbal clause in v. 1aβ וַאֲלֹהִים נִסָּה אֶת־אַבְרָהָם “and God tested Abraham.” Such a statement is hardly possible for syntactic reasons, and would be very unusual: “The clausal form ‘*wə-x-qatal*’ separates out the communicated facts one from another; it is inserted in order to interrupt the progress of narrative threads, thereby obligatorily requiring the presence of other information or indeed the progression of a narrative.”⁵⁴ An introduction later on for an original standalone narrative need not be sought, for 22:1aβ

53. On the importance of the context, see Jonathan Magonet, “Die Söhne Abrahams,” *BibLeb* 14 (1973): 204; cited by Steins, *Die “Bindung Isaaks,”* 121, cf. Steins himself (218): “Even within the Abraham-Sarah narratives, Gen 22 presupposes a widely developed context, for the story of Isaac’s endangerment only functions within the story of the promise, the ongoing delay of its realization, and finally its narrowing to Isaac as the only son” (“Schon innerhalb der Abraham-Sara-Erzählungen setzt Gen 22 einen weit entwickelten Kontext voraus, denn die Geschichte von der Gefährdung Isaaks funktioniert nur innerhalb der Geschichte der Verheissung, der ständigen Verzögerung ihrer Verwirklichung und schliesslich ihrer Engführung auf Isaak als den einzigen Sohn”). On the contextual links in the Abraham cycle, see the handy summary in Neef, *Die Prüfung*, 73–76. The formula with אַחֵר also appears in Gen 39:7; 40:1; 1 Kgs 17:17; 21:1 (without וַיְהִי in Gen 15:1; Esth 2:1; 3:1; Ezra 7:1); with אַחֲרֵי in Gen 22:20; 48:1; Josh 24:29.

54. Ina Willi-Plein, “Die Versuchung steht am Schluss,” *TZ* 48 (1992): 102: “Die Satzform ‘*w^e-x-qatal*’ hebt den mitgeteilten Sachverhalt von einem anderen ab, sie wird eingesetzt, um den Progress von Narrativketten zu unterbrechen, setzt also zwingend das Vorhandensein einer anderen Information bzw. wohl das Vorgehen eines Narrativs voraus”; see also Veijola, “Das Opfer des Abraham,” 139, with reference to Joüon §118d; also Neef, *Die Prüfung*, 51. Differently Levin, *Der Jahwist*, 176, with reference to Gen 21:1; 37:3; 1 Kgs 20:1; 2 Kgs 4:1; 9:1. Here, however, one must discuss whether these texts contain literary beginnings of originally standalone narratives. Stefan Gathmann (“*Klippenabsturz zu Gott: Gen 22,1–19, Sprachwissenschaftliche Notizen*,” *ATSAT* 71 [St. Ottilien: EOS, 2002], 47, 49, 109) also excludes 22:1aα composition-critically and translates the beginning of his narrative, “When God tested Abraham...” (“Als Gott Abraham versuchte...”; see 23 n. 110, 37 n. 191, 47 n. 257, and the reference there to Herbert Irsigler, *Einführung in das Biblische Hebräisch I: Ausgewählte Abschnitte der althebräischen Grammatik*, *ATSAT* 9 [St. Ottilien: EOS, 1978], 79, 160).

provides the subject for the subsequent statements. Furthermore, 22:1a β is also of indispensable importance for the content of Gen 22 and therefore cannot be eliminated as redactional.

Even these small observations on the introduction in Gen 22:1 demonstrate the difficulty of understanding Gen 22 as a standalone narrative. It instead concerns a text that, while it contains clear marks of internal formal and material coherence, nevertheless, is oriented from its outset toward a context. One would otherwise need to reckon with far-reaching literary reshaping in the opening of the narrative, which remains unverifiable.

Genesis 22 does not connect in a diffuse manner to the previous context. The text instead provides clear signals of which preceding context it supplements and thereby reinterprets. It can be shown that Gen 22 evidently takes up the entire Abraham story of Gen 12–21 and provides it with a new theological perspective: recent exegesis has demonstrated with sufficient lucidity that Gen 22 is connected intertextually especially to Gen 12:1–8 (and 13:14–17),⁵⁵ as well as Gen 21.⁵⁶

55. Cf., e.g., Gunkel, *Genesis*, 236; Westermann, *Genesis 12–36*, 436–37; Blum, *Die Komposition der Vätergeschichte*, 330; Veijola, “Das Opfer des Abraham,” 141 and n. 67; Levin, *Der Jahwist*, 177; Jean-Louis Ska, “The Call of Abraham and Israel’s Birth-Certificate (Gen 12:1–4a),” in *The Exegesis of the Pentateuch*, 63–65; Kundert, *Die Opferung*, 1:35; Steins, *Die “Bindung Isaaks,”* 135–147; Jan C. Gertz, *Tradition und Redaktion in der Exoduserzählung*, FRLANT 186 (Göttingen: Vandenhoeck & Ruprecht, 2000), 273; Kaiser, “Die Bindung,” 210; Michel, *Gott und Gewalt*, 304–5 (on 13:14; see n. 61, below).

56. Cf., e.g., White, “Initiation Legend of Isaac,” 11–20; Olivette Genest, “Analyse sémiotique de Gn 22,1–19,” *ScEs* 3 (1981): 173–74; Milton Schwantes, “‘Lege deine Hände nicht an das Kind’: Überlegungen zu Gen 21 und 22,” in *Was ist der Mensch...? Beiträge zur Anthropologie des Alten Testaments: Hans Walter Wolff zum 80. Geburtstag*, ed. Frank Crüsemann (Munich: Kaiser, 1992), 164–78; Blum, *Die Komposition der Vätergeschichte*, 314–15 (“Gen 21:8ff is apparently also narrated in the direction of Gen 22. The expulsion of Ishmael becomes a prelude, one might almost say a ‘dress rehearsal’ for Gen 22” (“Gen 21,8ff ist offenbar nicht zuletzt auf Gen 22 hin erzählt. Die Vertreibung Isaaks wird zu einem Vorspiel, man möchte fast sagen, zu einer ‘Generalprobe’ für Gen 22”); Otto Kaiser, “Isaaks Opferung: Eine biblische Besinnung über einen schwierigen Text,” *Homiletisch-Liturgisches Korrespondenzblatt* NS 10 (1992–1993): 438–39; Kaiser, “Die Bindung,” 209–10; Yair Zakovitch, “Juxtaposition in the Abraham Cycle,” in *Pomegranates and Golden Bells: Studies in Biblical, Jewish, and Near Eastern Ritual, Law, and Literature in Honor of Jacob Milgrom*, ed. David P. Wright, David Noel Freedman, and Avi Hurvitz (Winona Lake, IN: Eisenbrauns, 1995), 519–20; Wenham, *Genesis 16–50*, 99–100; Wenham, “The Akedah: A Paradigm of Sacrifice,” in Wright, Freedman, and Hurvitz, *Pomegranates and Golden*

The call to Abraham to set out into the land of Moriah (22:2) is formulated with the imperative (לך לך + אל [ה] ארץ) (“Go now ... [into the land ...]”), which only appears otherwise in the Hebrew Bible in Gen 12:1, opening the ancestral narrative with the great promise to Abraham in Gen 12:1–3.⁵⁷ Further points of contact appear in the subsequent context:⁵⁸ The departure in 22:3b adopts 12:4a. The building of the altar in 22:9 has a parallel in 12:7–8. In addition, there is the backward reference from 22:2, 4, 13 (נא + “lift up eyes”) to Gen 13:14.⁵⁹ Therefore, Gen 22 directs the view back to the compositional arc of Gen 12:1–8 + 13:14–17, the introduction of the Abraham narrative, from a compositional perspective even of the entire ancestral story.⁶⁰

The other focus appears in Gen 21. The narrative of the covenant between Abraham and Abimelech in Beersheba (Gen 21:22–34) is read immediately before Gen 22, into which—if one views 22:19b as its end point—Gen 22:1–19a is inserted virtually without a reason.⁶¹ Before this, the birth of Isaac and subsequent expulsion of Hagar and Ishmael is narrated (Gen 21:1–21). Both narratives hold significance for Gen 22, even in their specific immediate contextual order. The concluding of the covenant in Beersheba begins with the foreigner Abimelech saying to Abraham, “God is with you [אלהים עמך] in all that you do” (Gen 21:22b). This provides a signal both for Abraham within the narrative and also for the reader outside it of what Abraham trusts in Gen 22: God is with Abraham, and Abraham

Bells, 99–100; Fischer, “Möglichkeiten und Grenzen”; Neef, *Die Prüfung*, 75–76; Marx, “Sens et fonction,” 199–210.

57. See also לך לך in Song 2:10, 13.

58. See Steins, *Die “Bindung Isaaks,”* 135–47.

59. Michel, *Gott und Gewalt*, 305 and n. 296; and the reference to Karel A. Deurloo, “Because You Have Hearkened to My Voice (Genesis 22),” in *Voices from Amsterdam: A Modern Tradition of Reading Biblical Narrative*, ed. Martin Kessler, SemeiaSt 23 (Atlanta: Scholars Press, 1994), 119.

60. See Konrad Schmid, *Genesis and the Moses Story: Israel’s Dual Origins in the Hebrew Bible*, Siphut 3 (Winona Lakes, IN: Eisenbrauns, 2010), 102–3 (and bibliography); trans. from *Erzväter und Exodus: Untersuchungen zur doppelten Begründung der Ursprünge Israels in den Geschichtsbüchern des Alten Testaments*, WMANT 81 (Neukirchen-Vluyn: Neukirchener, 1999), 112–13.

61. Most clearly is Levin, *Der Jahwist*, 176: The narrative of Gen 22 separates “the etiology of Beersheba in 21:22–34 from its conclusion in 22:19b, [it] is, therefore, later inserted into the context” (“die Ätiologie Beerschebas 21,22–34 von ihrem Abschluss in 22,19b ist also in den Zusammenhang nachträglich eingeschoben”).

knows even before the angel's intervention that "God will see to a sheep for the burnt offering, my son" (22:8). Abimelech also receives a vow from Abraham that he will not betray him and his descendants (שקר). As a result, Abraham has the duty with regard to Abimelech that God has to Abraham, whom God promised an abundance of descendants that depend on Isaac.

Of still greater importance for Gen 22 than the conclusion of the covenant with Abimelech is, however, the preceding pericope narrating Isaac's birth and the expulsion of Hagar and Ishmael: "The fact that Isaac is called the 'only son' in 22:2 without a doubt presupposes familiarity with the expulsion of Ishmael in 22:8ff."⁶² In particular, the literary positioning of the report of the birth of the long-promised son, Isaac, at a distance of a mere thirty verses from Gen 22, is of pivotal importance. Abraham has hardly received the son—promised by God (if one follows the Priestly chronology)⁶³ for twenty-five years—before he must again give him up. Genesis 22 explicitly picks up on this constellation in v. 2: "Take your son, your only [son], whom you love." This dramatic return of the gift that was promised, the only son, is heightened in Gen 21 by the fact that Ishmael, the son Abraham had received through Hagar, is expelled through the actions of Sarah so that Isaac is the only son remaining. As many have pointed out, the surrender of Ishmael in Gen 21 "to this point matches the parallel plot structure verbatim"⁶⁴ to that of Isaac Gen 22. It is sufficient at this point to recall the shared basic plot development: Ishmael like Isaac is brought into imminent mortal danger, and just like Isaac is then saved by an angel. However, despite his physical survival, Abraham remains deprived of Ishmael. All that remains for him is his second son, Isaac, "whom he loves," and who is now demanded from him.

In other words, Gen 22 directs the view to Gen 12 and 21.

The three texts offer a special case of intertextuality. The relationships not only emerge on the basis of similarities when read; the texts are instead related as elements of the same narrative complex. They are already con-

62. Thomas Römer, "Recherches actuelles sur le cycle d'Abraham," in Wénin, *Studies in the Book of Genesis*, 195: "Le fait qu'Isaac soit appelé en 22,2 'fils unique' présuppose sans doute la connaissance de l'expulsion d'Ismaël en 21,8ss.)."

63. Gen 12:4b; 21:5.

64. Fischer, "Möglichkeiten und Grenzen," 29: "von wortwörtlichen Übereinstimmungen bis hin zur parallelen Handlungsstruktur"; see the compilation—including the observations by Steins, *Die "Bindung Isaaks"*, 154–55—in Kaiser, "Die Bindung," 209–10 (21:3/22:2; 21:14a/22:3a; 21:17a/22:11a; 21:17b/22:11b; 21:19/22:13; 21:21a/22:19b).

nected with one another in diverse ways through the identity of the key players, the thematic progression, central motifs, and further regular constituents of a common narrative complex.⁶⁵

In other words, Gen 22 takes Gen 12–21 as a whole into consideration, thereby specifically activating the cornerstone texts of this complex. It functionally depends on the narrative arc stretched between the first promise of descendants (Gen 12:2) and the birth of Isaac (Gen 21:2). As a result, von Rad's "salvation-historical interpretation" receives fundamental exegetical confirmation:

However, with Isaac it concerns much more than the only child of a father, for he represents the child of a particular promise. All salvific plans for the future people of Israel, of whom God has already spoken to the ancestors, stand and fall with the life of Isaac. The reader must therefore remind themselves how hesitatingly this promise came to fulfillment in the life of Abraham, and how its fulfillment always appeared to recede into a vague future. When the child of his old age was finally born, should it now be sacrificed! What should now be made of the promises of God that the seed of Abraham should become a great nation, even that in him one day "all tribes of the earth" shall be blessed? Must not the entire past and the entire future of divine action and guidance implode with the command to sacrifice Isaac?⁶⁶

65. Steins, *Die "Bindung Isaaks,"* 162: "Mit den drei Texten liegt insofern ein Sonderfall von Intertextualität vor, als die Relationen nicht erst allein aufgrund von Ähnlichkeiten in der Lektüre hergestellt werden, sondern die Texte bereits als Elemente desselben narrativen Zusammenhangs relationiert sind. Sie sind schon auf vielfältige Weise durch die Identität der Handlungsträger, die thematische Progression, Leitmotive und weitere reguläre Konstituenten eines gewöhnlichen Erzählzusammenhangs miteinander verbunden."

66. Von Rad, *Das Opfer*, 28: "Aber in Isaak ging es um viel mehr als das einzige Kind eines Vaters, denn er war ja das Kind einer sonderlichen Verheissung. Alle Heilspäne mit dem künftigen Volk Israel, von denen Gott schon zu den Vätern gesprochen hatte, standen und fielen mit dem Leben Isaaks. Der Leser muss sich daran erinnern, wie zögernd sich diese Verheissung im Leben Abrahams erfüllt hat, wie ihre Erfüllung vor Abraham immer aufs neue in eine vage Zukunft zurückzuweichen schien. Als endlich das Kind des Alters geboren war, sollte es geopfert werden! Was war nun von den Versprechen Gottes, dass der Same Abrahams zum grossen Volke werden, ja dass in ihm dereinst sogar 'alle Sippen der Erde' gesegnet werden sollten, zu halten? Musste nicht mit dem Befehl, den Isaak zu opfern, vor Abraham die ganze Vergangenheit und die ganze Zukunft des göttlichen Handelns und Geleitens in sich zusammenstürzen?" See also Rainer Albertz, "Isaak," *TRE* 16:293.

Against this “salvation-historical” interpretation, scholars have argued that “the text of Gen 22 itself in no way addresses how the sacrifice of Isaac endangers the promise to Abraham of becoming a nation.”⁶⁷ The fact that Isaac is the “son of the promise” does not explicitly appear. However, this argument is not significant because, in short, “the text” of Gen 22 is not simply Gen 22 but originally the large complex of the Abraham narrative (but also even to further literary contexts [see, e.g., under §§17.3.2–4]). Reading sequentially from Gen 12, it is completely clear that it is problematic to limit exegesis to the individual pericopes.

The above-mentioned considerations also allow for evaluation on the question concerning why Gen 22 tells of a child sacrifice. One does not need a religious-historical reconstruction of child sacrifice in ancient Israel to explain this move.⁶⁸ It becomes sufficiently comprehensible on the basis of the theological problem that Gen 22 treats: the suspension of the promise. The experience of the suspension of the promise to Abraham about becoming a large nation can hardly become more explicit on a text immanent level than through the existential endangerment of his son Isaac. The fact that this threat does not take place through natural or human powers, but by God himself—as the order and sacrificial thematic unmistakably demonstrates, hangs together with the fact that this experience is interpreted within a strictly monotheistic perspective. The promise is rescinded by God himself.⁶⁹ However, this is only one side of the problem, which von Rad has once again seen clearly: “One might, however, consider still one thing more: in this temptation, God poses Abraham the question of whether he can *give back* the gift of the promise to God.”⁷⁰

67. Schmitt, “Die Erzählung von der Versuchung Abrahams,” 86: “im Text von Gen 22 selber in keiner Weise thematisiert wird, das [*sic*] durch die Opferung Isaaks die Verheissung der Volkwerdung an Abraham gefährdet”; see n. 35, above.

68. Recently again Michel, *Gott und Gewalt*, 313.

69. The feature of the “sacrifice” (instead of the mere “killing”) of Isaac is, on the one hand, motivated from the narrative art and, on the other, also likely by a conscious response to the Priestly theology of sacrifice (see below, §17.3.3). Michel, *Gott und Gewalt*, 313, brings in the, in his opinion, virulent problem of child sacrifice in the exilic period for the understanding of the sacrificial command, which commingles the narrative and the religious-historical levels.

70. Von Rad, *Genesis*, 209, emphasis added: “Man mag aber noch eines erwägen: in dieser Versuchung stellt Gott an Abraham die Frage, ob er die Verheissungsgabe Gott auch wieder zurückgeben könne.”

Genesis 22 not only addresses the divine withdrawal, but also the the human return of the gift of the promise. Abraham proves himself in this situation through “fear of God” (22:12). However, it is clear that this term, primarily used in prominent fashion in (later) wisdom,⁷¹ is reinterpreted here in a specific way. It becomes “Abraham’s unconditional obedience to God and his command.”⁷² This becomes clear from 22:12:

וַיֹּאמֶר
אֵל תִּשְׁלַח יָדְךָ אֶל הַנֶּעָר
וְאַל תַּעַשׂ לוֹ מְאוּמָה
כִּי עֵתָה יָדַעְתִּי כִּי יִרָא אֱלֹהִים אֶתָּה
וְלֹא חֲשַׁכְתָּ אֶת בִּנְךָ אֶת יְחִידְךָ מִמֶּנִּי

And he [the angel] said:

A Do not stretch out your hand against the boy,

A’ And indeed: do not harm him at all,

B for now I know that you are godfearing:

B’ For indeed you did not withhold your son, your only one.

Abraham’s fear of God is made more precise, just as A’ elucidates the previous pronouncement A, with exegetical ו “and indeed, namely”: “Not just any kind of trust in God’s gracious control or a believing adherence to God is designated as fear of God, but the nonwithholding of the son.”⁷³

71. Hans F. Fuhs, “יָרָא,” *TDOT* 6:311.

72. Veijola, “Das Opfer des Abraham,” 151–52 and n. 129: “bedingungslose[r] Gehorsam des Abraham gegenüber Gott und seinem Gebot”; cf. early also von Rad, *Genesis*, 206. Conversely—in the course of his composition criticism—Michel, *Gott und Gewalt*, 313–14. On the theological-historical comparable appearances of the convergence between wisdom and law in the Pentateuch, see Thomas Krüger, “Gesetz und Weisheit im Pentateuch,” in *Auf den Spuren der schriftgelehrten Weisen: Festschrift für Johannes Marböck anlässlich seiner Emeritierung*, ed. Irmtraud Fischer, BZAW 331 (Berlin: de Gruyter, 2003), 1–12; Kaiser, “Die Bindung,” 212 n. 70.

73. Steins, *Die “Bindung Isaaks,”* 178: “Nicht irgendeine Art von Vertrauen auf Gottes gnädige Führung oder ein gläubiges Sich-Halten an Gott wird als Gottesfurcht bezeichnet, sondern das Nicht-Vorenthalten des Sohnes.” Veijola suggests that 22:12bβ is secondary on the basis of the somewhat difficult connection and the doublet in 22:16 (“Das Opfer des Abraham,” 147 n. 99; see also Michel, *Gott und Gewalt*, 271). In light of the pronouncement “for now I know” in the immediately preceding context, there is little weight to the additional argument that the “me” is unusual in the mouth of the angel (cf. Michel, *Gott und Gewalt*, 271, n. 126). In addition is the fact that the identity of YHWH and יהוה מלאך cannot be objected to in terms of tradi-

This nonwithholding of the son now instead carries the same meaning as returning the promise to God: Abraham gives God back to God.⁷⁴ “Fear of God” in Gen 22 means letting God be fully God—beyond every specification of the promises he has already made multiple times.

Abraham is evidently portrayed as a paradigm in Gen 22.⁷⁵ In Gen 22 Abraham is not a pious individual from the past, but indeed the bearer of a theological problem for all Israel. Even the thematic connection to the problem of the promise to becoming a nation in Gen 12–21 allows for no other conclusion.

A further indication in this direction ensues from the singular designation of the place as “*land of Moriah*” (Gen 22:2).⁷⁶ The versions show that the riddle surrounding this “*land of Moriah*” reaches back into antiquity. The Samaritan Pentateuch reads ארץ המוראה;⁷⁷ the Peshitta presupposes ארץ האמרי (“the Amorites”); LXX translates εἰς τὴν ὑψηλὴν τὴν ὑψηλὴν⁷⁸ (“in the high country”); the Vulgate has *in terram visionis*.⁷⁹ Contrary to the conventional rules of text criticism, commentators often

tion history (see Samuel A. Meier, “Angel of Yahweh,” *DDD*, 96–108). The insertion of the מלאך in Gen 22 can also be considered on the basis of the mention of the מאכלת “knife.” The structure of 22:12 speaks against a composition-critical dismissal of v. 12bβ: Just as 22:12aα (A) is made more precise by v. 12aβ (A’), the same takes place in 22:12bα (B) and v. 12bβ (B’); see Steins, *Die “Bindung Isaaks,”* 176–78.

74. See Odil H. Steck, “Ist Gott grausam? Über Isaaks Opferung aus der Sicht des Alten Testaments,” in *Ist Gott grausam? Eine Stellungnahme zu Tilmann Mosers “Gottesvergiftung,”* ed. Wolfgang Böhme (Stuttgart: Evangelisches Verlagswerk, 1977), 87: “He must return God to God, the trustworthy, good, proven by experience, the God who opens up everything for him, that he must give back to God! This is the whole severity of the narrative as Israel experienced it: God against God, God himself takes back his promise” (“Gott muss er Gott zurückgeben, den vertrauten, gütigen, erfahrungsbewährten, ihm alles erschliessenden Gott, den muss er Gott zurückgeben! Das ist die ganze Härte der Erzählung, wie sie Israel wahrgenommen hat: Gott gegen Gott; Gott selbst nimmt hier seine Verheissung zurück”).

75. Veijola, “Das Opfer des Abraham,” 157 and n. 151.

76. The frequently advocated reading *hmrwryh* in inscription B from Chirbet Beth Lei has been largely abandoned (see, e.g., Johannes Renz and Wolfgang Röllig, *Handbuch der althebräischen Epigraphik* [Darmstadt: Wissenschaftliche Buchgesellschaft, 1995], 1:247–48).

77. Except for Codex C, which agrees with MT; cf. August von Gall, *Der hebräische Pentateuch der Samaritaner* (Giessen: Töpelmann, 1918), 36.

78. Likely echoing המרום in 2 Chr 3:1: ἐν ὀρεῖ τοῦ Ἀμορείας.

79. Likely from מראה (analogous to the use of the root ראה as a leitmotif in 22:3, 8, 13–14); in 2 Chr 3:1, Vulgate reads: *in Monte Moria*.

decide against the Masoretic reading of “land of Moriah.” See, for example, Westermann: “A land by this name is unknown. The name appears only one other time, in 2 Chr 3:1, the Temple Mount of Jerusalem is הר המוריה. This name was probably inserted later into 22:2 in order to claim the mountain of the sacrifice for Jerusalem. The name that originally stood here was suppressed by this action. The translations read a different name.”⁸⁰ Two things speak against the suggestion that the Masoretic Text is secondary in comparison to the versions. First, each of the versions provides a different translation: each appears to aim for a different reinterpretation. Second, according to the text-critical axiom *lectio difficilior lectio probabilior*, the Masoretic *lectio difficilior* ארץ המוריה should clearly be seen as more original.

However, this merely poses the problem and does not yet resolve it. What is meant by “land of Moriah”?⁸¹ Two possible explanations can immediately be dismissed: the first one suggesting that this is an imaginary name, and the other that the land of Moriah was known at one time but was then forgotten. These are makeshift solutions without any further foundation for argumentation to which one only reaches when all other possibilities are exhausted.

It is much more likely that the designation “land of Moriah” developed as a scribal construction that combined the already familiar information from 2 Chr 3:1, which overtly refers to the Jerusalem Temple Mount, with Gen 12:1–3 and applied it to the sacrificial location of Gen 22, which secretly refers to Jerusalem.⁸² The fact that 2 Chr 3:1, the Chronistic note

80. Westermann, *Genesis*, 437: “Ein Land dieses Namens ist unbekannt. Der Name kommt nur noch einmal vor; in 2Chr 3,1 ist הר המוריה der Tempelberg von Jerusalem. Wahrscheinlich ist dieser Name in 22,2 später eingetragen worden, um den Berg der Opferung für Jerusalem in Anspruch zu nehmen. Der Name, der hier ur[s]prünglich stand, ist dadurch verdrängt worden. Die Übersetzungen haben einen anderen Namen gelesen.”

81. See the discussion by Bernd Jörg Diebner, “‘Auf einem Berge im Lande Morija’ (Gen 22,2) oder: ‘In Jerusalem auf dem Berg Morija’ (2Chr 3,1),” *DBAT* 23 (1986): 174–79; Diebner, “Noch einmal zu Gen 22,2: ארץ המריה,” *DBAT* 29 (1998): 58–72; Isaac Kalimi, “The Land of Moriah, Mount Moriah, and the Site of Solomon’s Temple in Biblical Historiography,” *HTR* 83 (1990): 345–62; Hermann Schult, “Eine Glosse zu ‘Moryyah,’” *ZAW* 111 (1999): 87–88.

82. There are still more indications that Gen 22 refers to Jerusalem. The sacrifice demanded “cannot be offered at any arbitrary location, but Abraham sets off on a pilgrimage to a sanctuary” (“darf nicht an jeder beliebigen Stelle dargebracht werden,

of the beginning of temple construction by Solomon, could already presuppose Gen 22, which one was inclined to assume in the course of the early dating of the “Elohistic” Gen 22 is improbable,⁸³ for 2 Chr 3:1 simply does not speak of a “mountain in the land of Moriah” as one would expect if Gen 22 was taken up, but instead of “Mount Moriah.” Furthermore, the choice of this location in 2 Chr 3:1 is explicitly justified by the fact that YHWH appeared there to David (and not to Abraham; cf. Gen 22:14, נראה), and David established this location (הכין). Evidently 2 Chr 3:1 was unfamiliar with Gen 22, but it was likely the other way around.

Why is there mention of the *land* of Moriah? This appears to contain a significant, rarely noticed potential for meaning. First, one can refer with Veijola to the influence of Gen 12:1.⁸⁴ In addition, however, one should inquire about the content of why Gen 22:2 varies from 2 Chr 3:1. More than thirty years ago, Van Seters proposed a pithy interpretation: “one may speak here of a ‘demythologizing’ of the concept of the sacred place. This is a radical break, by means of the Abraham tradition, with the election of

sondern Abraham hat sich wie ein Pilger zu einem Kultort zu begeben”] (Veijola, “Das Opfer des Abraham,” 152–53). And this cultic location is designated as “the place that God had told him” (22:2, 3, 9). This apparently refers to the cult-centralization formula familiar from Deuteronomy (Deut 12:5, 11, 21; 15:20; 16:15–16; 17:10; 31:11 and often), which, in its setting—in keeping with the Mosaic fiction—designates Jerusalem, which may also be in view in Gen 22. Finally, one should also remember the (though composition-critically contested) mention of the location in 22:14b: יהוה יראה (on the Qumran variant, see n. 31, above), which alludes to “Jeru”-salem. (Fritz Stolz, *Strukturen und Figuren im Kult von Jerusalem: Studien zur altorientalischen, vor- und frühisraelitischen Religion*, BZAW 118 [Berlin: de Gruyter, 1970], 207–8, even contemplates the original wording of 22:14b: אשר יאמר היום בהר ירושלם. This is improbable simply because of the narrative fiction of Genesis.) Cf. in general Klaus Baltzer, “Jerusalem in den Erzväter-Geschichten der Genesis? Traditionsgeschichtliche Erwägungen zu Gen 14 und 22,” in *Die Hebräische Bibel und ihre zweifache Nachgeschichte: Festschrift für Rolf Rendtorff zum 65. Geburtstag*, ed. Erhard Blum, Christian Macholz, and Ekkehard W. Stegemann (Neukirchen-Vluyn: Neukirchener Verlag, 1990), 3–12 (and bibliography); Mittmann, “ha-Morijja.”

83. On this see Sara Japhet, *2 Chronik*, HThKAT (Freiburg im Breisgau: Herders, 2003), 46–49. Japhet leaves open the question of whether 2 Chr 3:1 influenced Gen 22 or the reverse (49); she interprets the lack of reference to Abraham as “cult founder” with the “priority” of “Davidic authority over the earlier traditions of the Abrahamic cult” (49).

84. Veijola, “Das Opfer des Abraham,” 153 (see nn. 58–61, above). Veijola also ponders that the reference by Gen 22 to Jerusalem is supposed to be veiled through the language of “land of Moriah.” But is “Moriah” not already enough of a veil?

Zion. The holy place is the place of the fear of God (v. 2), the place where one goes to pray (v. 5), the place where the providence of God is seen (v. 14).⁸⁵ Van Seters likely places too much emphasis on a “radical break” (for there is still a ram offered at the “place” of Gen 22!); one should instead conclude that Gen 22 spiritually *broadens* the Zion tradition: thanks to the practice of Abrahamic piety in Jerusalem, Israel can participate in it everywhere, even in the diaspora. The speech of the “*land of Moriah*” demonstrates the background that Abraham stands for all Israel.

17.3.2. The Reception of the Polemic of Child Sacrifice in Genesis 22

If the motif of child sacrifice in Gen 22 can be sufficiently explained by the theological problematic of the content, there are additionally, however, also inferences with the child sacrifice polemic against the tophet in the Hinnom Valley with the sphere of Deuteronomistic literature (cf. esp. Deut 18:10; 2 Kgs 16:2; 17:17; 21:6; 23:10; Jer 7:31; 19:5; 32:35).⁸⁶ One can conclude for compositional-critical reasons that Gen 22 is familiar with this polemic.⁸⁷ In this respect, an explanation should be sought for the reason the use in Gen 22 as Abraham’s test is the very topos of one of the most horrific iniquities of Israel’s and its kings, namely the chief villains Ahaz and Manasseh: child sacrifice.

85. Van Seters, *Abraham in History*, 238. Veijola (“Das Opfer des Abraham,” 153) rejects this interpretation: “The geographic frame of the narrative is not, however, so undefined and spacious that ‘the place’ could mean the same thing as ‘the land’” (“Der geographische Rahmen der Erzählung ist aber nicht so unbestimmt und weiträumig, dass ‘der Ort’ gleichbedeutend mit ‘dem Land’ sein könnte”). In reality, the internal logic of the narrative focuses on a specific location, yet for this very reason the mode of expression of “the land of Moriah” becomes striking and requires an explanation. It is possible within innerbiblical exegesis that the narrative logic is overlaid with a differently oriented structure of references.

86. See Hermann Spieckermann, *Juda unter Assur in der Sargonidenzeit*, FRLANT 129 (Göttingen: Vandenhoeck & Ruprecht, 1982), 101–7; Aurelius, *Zukunft*, 83 n. 52 (bibliography). On the question of the historical background of this polemic and the actual verifiability of child sacrifice, see above nn. 16–18.

87. See below, §17.4. While Gen 22 does not have the typical terminology העביר (באש), in light of the thematic similarity, the polemic against child sacrifice is attested so prominently in Deuteronomy, 2 Kings, and Jeremiah that the assumption that Gen 22 takes this series of pronouncements into consideration is justified. On Mic 6:7, see n. 52, above.

Posing the question includes its answer: Abraham's test is depicted as being as severe as possible, and therefore it requires from him a deed that could not be more abominable and that the reader knows that not only Abraham, but also God, utterly condemns and rejects. One should also bear in mind for the problem of the promise in Gen 22 that the accusation of child sacrifice appears specifically in passages such as 2 Kgs 17:17 and 21:6, which give reasons for the demise of Israel and Judah. In other words, the Deuteronomistic child sacrifice polemic is already placed in a context that addresses the annulling of the promise—the exile from the promised land. Therefore, the command to sacrifice received by Abraham in Gen 22:2 presents a God that is completely hidden *sub specie contrario*. He demands that Abraham not only return the gift of the promise, his son Isaac, but also that this return must take place by means of an action that makes it clear from the perspective of the reader that it shatters the divine promise as such.

However, the differences between Gen 22 and the Deuteronomistic child sacrifice polemic are significant: while Abraham's sacrifice and the tophet can both be connected with Jerusalem, unlike the tophet in the Hinnom "Valley," Abraham's sacrificial location is on the "mountain." It is not a precursor of the tophet. Furthermore, Abraham does not carry out a child sacrifice, instead offering a ram. The command to sacrifice a child is a test that, while it is not visible to the actor, is apparent on the level of the reader from the outset.

17.3.3. The Reception of Priestly Sacrificial Theology in Genesis 22

Abraham's sacrifice in Genesis is described as an עֹלָה ("burnt offering") and probably presupposes the promulgation of the Priestly sacrificial law—עֹלָה plays a central role in it—as can especially be concluded from references to Lev 8–9 (together with Exod 29:38–46) + 16. A "ram" only appears as a "burnt offering" in connection with a divine epiphany in these texts.⁸⁸ However, the depiction of the offering in Gen 22 deviates

88. Cf. Lev 9:4, 6, 23; 16:2; on this see Steins, *Die "Bindung Isaaks,"* 191–202, following Stanley D. Walters, "Wood, Sand, and Stars: Structure and Theology in Gn 22,1–19," *TJT* 3 (1987): 301–30. On the reading אֵיל אֶחָד (cf. Dan 8:3) see Steins, *Die "Bindung Isaaks,"* 192–94. Hartmut Gese ("Die Komposition der Abrahamerzählung" in *Alttestamentliche Studien* [Tübingen: Mohr Siebeck, 1991], 42) explains the ram without support as "the basic, normal form of the burnt offering."

from the Priestly sacrificial instructions in Lev 1—the one bringing the sacrifice is the only actor, the sacrifice is pushed completely to the end of the preparations, and the necessary instruments (wood, fire, knife) are mentioned individually. This variance is conditioned by the drama of the narrative:⁸⁹ the angel's intervention takes place at the last second; therefore, the slaughter is moved to the end of the ritual. Despite these deviations, one can assume that Gen 22 was aware of and also takes up the Priestly sacrificial theology.⁹⁰

Now in what sense does this take place? Steins proposes one aspect: interpreting Gen 22 as a prolepsis to Sinai for Israel's sacrificial cult enig-

89. See Steins, *Die "Bindung Isaaks,"* 196; Eberhart, *Studien*, 205–6; Willmes, *Von der Exegese*, 54–58.

90. Cf. Steins, *Die "Bindung Isaaks,"* 196. Michel, *Gott und Gewalt*, 310 and n. 322, on the other hand, writes: "By means of the 'ritual concern' one truly gets to the requisites necessary for a burnt offering, but hardly to the dependence of texts on one another" ("Tatsächlich kommt man über das 'Ritualkonzept' zu den Requisiten, die eben für ein Brandopfer nötig sind, aber kaum zu Abhängigkeiten von Texten voneinander"). However, the relationships with Lev 8–9 and 16 contradict this argument. In addition, it is more plausible to link the sacrificial theme in Gen 22 with preexisting texts than with the sphere of accessible historical practice. Another argument for the post-Priestly placement of Gen 22 is the argument that the choice of Abraham as the protagonist is hardly explicable without his eminent rise in importance in the Priestly literature (see below, §17.4). Michel (*Gott und Gewalt*, 307 n. 305) also points out the question of the relationship between Gen 22 and P itself on the basis of the parallel formulations in Gen 22:1 and Gen 9:8, 17; 17:9, 15 (ל + אָמַר + אֱלֹהִים). The difference in the fact that Gen 22:1 offers the determined form אֱלֹהִים does not weigh very strongly against Michel in light of אֱלֹהִים in the uncontested P texts Gen 17:18 and Exod 2:23. Neef (*Die Prüfung*, 79) ponders, "Could the author of Gen 22 have passed by the theme of 'covenant' (Gen 17) so easily?" ("Hätte der Verfasser von Gen 22 so einfach am Thema 'Bund' [Gen 17] vorbeigehen können?"). The question is naturally justified, but should be directly considered in thematic terms: in my opinion there is nothing in the way of the assumption that Gen 22 reflects the Priestly covenantal theology from Gen 17—this particular unconditional promise is brought into crisis in Gen 22. However, for narrational reasons it is "suppressed": And furthermore, especially the contents of Gen 17 (v. 5) are taken back, yet God does not break his covenant. It should also be taken into consideration that Gen 17 is completed in P by the sacrificial torah in Sinai and that Gen 22 refers precisely to these instructions. Finally, the question is also decided on the basis of the date of Gen 12:1–4a, to which Gen 22 clearly references. There are weighty arguments that Gen 12:1–4a should be located as post-Priestly (see Schmid, *Genesis and the Moses Story*, 153–54 and n. 670 [bibliography]).

matically as “self-sacrifice.”⁹¹ Yet this conception is likely too broad. On the basis of the text, one can only say that the Sinaitic sacrificial cult is read in light of Gen 22 as Israel’s willingness for the self-sacrifice coming from Gen 22, but precisely this self-sacrifice is not implemented. Furthermore, the style of the narrative clearly indicates the subordination of the cultic practice as such under Abraham’s—to express it in an outmoded manner—“sentiment.” For this reason one should also consider, against Steins, that the adoption from the Priestly Sinai pericope took place in a critical manner⁹²—hardly coincidental from the sphere of the establishment of the culture of sacrifice as such (Lev 8–9) or the ritual of the Day of Atonement. Abraham is a paradigm for means of salvation in addition to or after the cult. While it is exemplified in the sacrifice, the sacrifice finally becomes marginalized. Therefore, Gen 22 can also broaden “Jerusalem” as the location of salvation to the “land of Moriah.”

17.3.4. The Reception of the Chronistic Tradition of David in Genesis 22

It has already been established that Gen 22 is familiar with and takes up Chronicles;⁹³ otherwise one can hardly explain the mention of “Moriah” from 2 Chr 3:1:

ויחל שלמה לבנות את בית יהוה בירושלם בהר המוריה אשר נראה לדוד אביו
אשר הכין במקום דוד בגרן ארנן היבוסו

And Solomon began to build the temple of YHWH in Jerusalem on Mount Moriah, where YHWH appeared to his father David,⁹⁴ in the place where David had established, at the threshing floor of the Jebusite Ornan.

Interpreters, generally speaking, limit themselves to the note that Gen 22 formulates a secret cultic etiology for Jerusalem by means of the adoption

91. Steins, *Die “Bindung Isaaks,”* 195.

92. See Erhard Blum, “Abraham,” *RGG* 1:72.

93. See above, §17.3.1. An almost exclusive parallel in Chronicles is the conception also in Gen 22:1 that God “tests” (נִסָּה) an individual; cf. otherwise only 2 Chr 32:31 and Ps 26:2 (see Kaiser, “Die Bindung,” 211 and n. 62; Lothar Ruppert, “Das Motiv der Versuchung durch Gott in vordeuteronomischer Tradition,” *VT* 22 [1972]: 55–63). William Johnstone (*1 and 2 Chronicles*, JSOTSup 253 [Sheffield: Sheffield Academic, 1997], 1:316) judges 2 Chr 3:1 differently, yet without any justification.

94. A forced alternative translation is suggested by Mittmann, “Ha-Morijja,” 76–77.

of 2 Chr 3:1. However, we have already seen that Gen 22's wording of the "land of Moriah" broadens the reference to Jerusalem. In addition, now it is only probable that 2 Chr 3:1 and the referential texts implied by it play a larger role in the formation of Gen 22. The topic in 2 Chr 3:1 concerns the fact that YHWH had "appeared" (נראה) to David, specifically at the threshing floor of Ornan/Araunah. This steers the gaze back to 1 Chr 21, the Chronistic depiction of David's census and the purchase of Ornan/Araunah's threshing floor (cf. 2 Sam 24).⁹⁵ The thematic structure and some statements of this text offer an analogous narrative to Gen 22 such that the conclusion follows that the composition of Gen 22 not only considered the single statement of 2 Chr 3:1 but rather the complex of references in 1 Chr 21.⁹⁶ Both David and Abraham are "tempted" (סוה in 1 Chr 21:1, by "Satan" rather than God in 2 Sam 24:1)⁹⁷ or rather tested (נסה in Gen 22:1). In both cases, the survival of the people of God—in 1 Chr 21 through the plague subsequent to David's census, in Gen 22 through the endangerment of the promise-bearer, Isaac—are at stake. In both narratives angels play a significant role (1 Chr 21:12, 15–20; Gen 22:12). Finally, the establishment of the sanctuary of Jerusalem is part of the horizon of the narrative in both 1 Chr 21 (vv. 18–28) as well as in Gen 22.

These overlapping motifs take on greater weight because David and Abraham each take the central roles as founders for Israel in their larger contexts (Chronicles⁹⁸ or the Pentateuch) with different conceptions for

95. See on 1 Chr 21, John Van Seters, "The Chronicler's Account of Solomon's Temple-Building: A Continuity Theme," in *The Chronicler as Historian*, ed. M. Patrick Graham, Kenneth G Hoglund, and Steven L McKenzie, JSOTSup 238 (Sheffield: Sheffield Academic, 1997), 289. The fact that Gen 22 primarily takes up 1 Chr 21 (and not the primary text of 2 Sam 24) is suggested especially by the mention of "Moriah," which makes clear the reference to 2 Chr 3. In addition is the striking contact in the designation of God as האלהים, which Gen 22 shares with 1 Chr 21 (vv. 7–8, 15, 17) but not with 2 Sam 24. However, this does not exclude that Gen 22 could have considered 2 Sam 24 in the background as well.

96. See on the David-Abraham relationships in the Hebrew Bible—also with a glance at Gen 22—Walter Dietrich, "Die David-Abraham-Typologie im Alten Testament," in *Von David zu den Deuteronomisten: Studien zu den Geschichtsüberlieferungen des Alten Testaments*, BWANT 156 (Stuttgart: Kohlhammer, 2002), 88–99, esp. 92–93; Mittmann, "ha-Morijja," 88–89. On the attempt by Prolow and Orel, "Isaac Unbound," see Steins, *Die "Bindung Isaaks"*, 227 n. 8.

97. On this see Sara Japhet, *1 Chronik*, HThKAT (Freiburg im Breisgau: Herders, 2002), 347–48.

98. On the period of David and Solomon as the decisive period for the founda-

Israel. Through the adoption of 1 Chr 21 through 2 Chr 3:1, Gen 22 apparently shifts the time of Israel's founding back to the time of Abraham, who now exists as progenitor of the people and who survives the decisive threats, thereby justifying all grants and threats to the promise over the years as part of Israel's identity.⁹⁹

If one considers the reception of 2 Chr 3:1 + 1 Chr 21 with regard to Gen 22, then it becomes clear that Gen 22 formulates something of a Chronicles-critical theology. Even if one concludes with Sara Japhet that the "Satan" in Chronicles does not represent an independent divine power¹⁰⁰—he acts completely in the earthly sphere and incites David rather than God, Gen 22 still imagines evil and good together in a dissimilarly radical manner. God holds himself back, raised to a higher power once again through the instruction to carry out the child sacrifice. It also becomes clear in Gen 22 that the sacrificial cult as such will be rescinded. With Abraham it depends on the ethos of complete devotion to the God who is just as evident as darkly appearing. Genesis 22 calls this "fear of God" in a creative continuation of wisdom tradition. Finally, Abraham, the progenitor of the people, is the decisive founding figure rather than King David in Gen 22. With regard to the founding era, Gen 22 does not consider royal categories (even if they are universally conceived like in Chronicles); the founding father of the people instead moves to the foreground as a paradigm.

17.4. The Position of Genesis 22 in the History of Theology

We have seen that Gen 22 in the first place takes up and reinterprets the Abraham narratives from Gen 12–21. These observations would not, however, be sufficiently weighted, if one would draw the conclusion from them that Gen 22 is exclusively a literary continuation of the Abraham

tion of Israel in Chronicles see the indicators in Schmid, *Genesis and the Moses Story*, 286–90, esp. 298.

99. As such, one can say the same for the basic text of Gen 22 that Aurelius first allows to be reckoned for the supplement of 22:15–18: "There are indications that in Gen 22:15–18, one is replacing the ideal king David, who was not that ideal, as a guarantor of salvation with the ancestor Abraham" (*Zukunft*, 197: "Es gibt Anzeichen dafür, dass man in Gen 22:15–18 dabei ist, den Idealkönig David, der nicht immer so ideal war, als Heilsgarant durch den Erzvater Abraham zu ersetzen").

100. Japhet, *1 Chronik*, 347–48.

cycle and categorize it accordingly in literary-historical terms.¹⁰¹ While the primarily literary horizon for Gen 22 truly is found in Gen 12–21, on one hand, Gen 22 also has significantly more textual material from the Hebrew Bible at its disposal, as I have attempted to show. On the other, the text's theological consciousness indicates that one should consider it to have been formed at a time when one could hardly still reckon with an independent tradition for the Abraham cycle (if this ever existed as a literary entity).¹⁰²

Whether one can assign Gen 22 to a redactional hand that was conspicuously active in other parts of Genesis–2 Kings is hard to say. The literary satellites for the supplementation of 22:15–18 can be somewhat clearly shown.¹⁰³ While those for Gen 22 are customarily sought within the sphere of managed contact within the framework of a classic or newly conceived Elohist¹⁰⁴ can no longer be evaluated with sufficient assurance in such a direction. In particular, the striking similarity between Gen 22:1, 12 and Exod 20:20 (“to test”; “fear of God”) should likely be explained as literary dependence in one direction or another. However, in order to conclude the same literary origins, it would be necessary to be able to show the same conceptual orientation of the texts. Exodus 20:20 is formulated very succinctly and does not allow for the recognition of whether it attests to the specific new shape of “fear of God” undertaken by Gen 22.¹⁰⁵ The fact that the stylization of the test in Gen 22 as an absolute exception does not awaken the expectation that this test should be repeated within the same foundational story of Israel. As such, Gen 22 is a text with a very broad literary horizon, but it is solitary in terms of literary history.

101. As, e.g., Neef, *Die Prüfung*, 77–81.

102. Cf. n. 58, above.

103. See Aurelius, *Zukunft*, 190–98.

104. For the classical formulation see Graupner, *Der Elohist*; for a new version, see Schmitt, “Die Erzählung von der Versuchung Abrahams”; Frank Zimmer, *Der Elohist als weisheitlich-prophetische Redaktionsschicht: Eine literarische und theologiegeschichtliche Untersuchung der sogenannten elohistischen Texte des Pentateuchs*, EHS.T 656 (Frankfurt am Main: Lang, 1999).

105. Schmitt, “Die Erzählung von der Versuchung Abrahams,” 93, considers Gen 22 and Exod 20:20 comparable in their thematic of “fear of God,” for this “does not designate the customary behavior, but is understood as a prerequisite for it” (“nicht das sittliche Verhalten bezeichnet, sondern als Voraussetzung dafür verstanden ist”). However, contrary is Veijola, “Das Opfer des Abraham,” 151–52 and n. 129.

The literary connection of Gen 22 to the Abraham narratives does not primarily result for formation-historical but rather for conceptual reasons. It is conditioned by Abraham's rise as the central recipient of the promise within the framework of the incorporation of the Priestly document into the sequence of the Historical books.¹⁰⁶ For this reason—in addition to the probable reception of Priestly theology (see §17.3.3 and esp. n. 93)—it seems most probable that Gen 22 is post-Priestly. A relative *terminus ante quem* is offered by the supplement of Gen 22:15–18 as well as the prologue of Job.¹⁰⁷ Resulting from Gen 22:15–18, as Aurelius demonstrates as likely,¹⁰⁸ there is still a further limiting possibility: 22:15–18 and therefore also the texts it presupposes in 22:1–13 (14?), 19a can be placed together with its counterpart of Exod 32:13 still prior to the series of the promises on oath of the land to the three ancestors of Abraham, Isaac, and Jacob redactionally constituting the Pentateuch in Gen 50:24; Exod 33:1; Num 32:11; and Deut 34:4.¹⁰⁹ These texts can be read in terms of content—with regard to the sworn confirmation of the promise—as replies to Gen 22. The guarantee of the oath is set against the eclipse of the promise. In absolute terms this implies a pre-Hellenistic placement for Gen 22, particularly for the literary integration of Gen 22 into the Pentateuch, which in any case is suggested.¹¹⁰ While some work continued to take place on the Pentateuch

106. On this process, see Schmid, *Genesis and the Moses Story*, 267–69 (cf. Julius Wellhausen, *Prolegomena zur Geschichte Israels*, 3rd ed. [Berlin: Reimer, 1886], 332–33 n. 1).

107. On Gen 22:15–18, see n. 8, above. On Job, see Veijola, “Abraham und Hiob,” as well as Andreas Michel, “Ijob und Abraham: Zur Rezeption von Gen 22 in Ijob 1–2 und 42,7–17,” in Gott, Mensch, Sprache: Schülerfestschrift für Walter Gross zum 60. Geburtstag, ed. Andreas Michel and Hermann-Josef Stipp, ATSAT 68 (St. Ottilien: EOS, 2001), 73–98. On 4Q225(–227) (4QPs-Jub) see now Florintino García Martínez, “The Sacrifice of Isaac in 4Q225,” in Noort and Tigchelaar, *Sacrifice of Isaac*, 44–57; Joseph A. Fitzmyer, “The Sacrifice of Isaac in Qumran Literature,” *Bib* 83 (2002): 211–29. Excluded is also the both extreme and speculative late dating of Gen 22 by Brand-scheidt (“Das Opfer des Abraham,” 16–17 and n. 23) in the Maccabean period, which also would entail a complicated hypothesis for the attestation of Gen 22 in the LXX.

108. Aurelius, *Zukunft*, 201–2. On Gen 22 see also Aurelius, “Versuchung,” *TRE* 35:44–47.

109. On this, see Schmid, *Genesis and the Moses Story*, 271–81.

110. On its conclusion in the Persian period see Schmid, *Genesis and the Moses Story*, 271–72 (bibliography). For a postexilic placement, one can also compare the *deus ex machina* motif in Gen 22, which links Gen 22 in striking manner to the Greek tragedies; cf. Andreas Spira (*Untersuchung zum Deus ex machina bei Sophokles und*

in the Maccabean period, this did not, however, include the insertion of entire blocks of narratives but rather individual retouches.¹¹¹ In its substance—and this includes Gen 22—the Pentateuch should be considered a Persian-period entity.¹¹²

Euripides [Kallmünz: Lassleben, 1960]), who indicates that the continuous motif “Comply!” (139 n. 114)—with the theologically significant difference that the *deus ex machina* in Gen 22 is brought about by God himself, who resolves an apparently hopeless crisis. For the theological history of the Hebrew Bible, see further the considerations on “heavenly revelation” by Karel van der Toorn, “Sources in Heaven: Revelation as a Scholarly Construct in Second Temple Judaism,” in *Kein Land für sich allein: Studien zum Kulturkontakt in Kanaan, Israel-Palästina und Ebirnari für Manfred Weippert zum 65. Geburtstag*, ed. Ulrich Hübner and Ernst A. Knauf, OBO 186 (Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 2002), 265–77.

111. See the references in Schmid, *Genesis and the Moses Story*, 18–19 and n. 119 (bibliography).

112. In the Persian period, archaeological backgrounds also indicate the population numbers in Palestine. The topic “return of the promised gift” is exemplified in the promise of increase in Gen 22 that depends on the person of Isaac. This shows that the problem of the decimation of the population was especially virulent in the Persian period. If one considers the historical development of settlements in Benjamin and in the Judean highlands, the results are significant (cf. Charles E. Carter, *The Emergence of Yehud in the Persian Period: A Social and Demographic Study*, JSOTSup 294 [Sheffield: Sheffield Academic, 1999], 235–36, with extensive methodological justification and data collection, 172–248 [bibliography]; see also Oded Lipschits, “Demographic Changes in Judah between the Seventh and the Fifth Centuries B.C.E.,” in *Judah and the Judeans in the Neo-Babylonian Period*, ed. Joseph Blenkinsopp and Oded Lipschits [Winona Lake, IN: Eisenbrauns, 2003], 323–76):

Benjamin			Judean Highland		
	Site locations	Percent change		Site locations	Percent change
IA I	45		IA I	18	
IA II	157	+250	IA IIA	33	+83
			IA IIB	86	+160
			IA IIC	122	+42
			IA IID	113	–7
Persian period	39	–75	Persian period	87	–23
Hellenistic period	163	+320	Hellenistic period	98	+13

From the orientation of its content, Gen 22 stands in peculiar continuity and discontinuity with Priestly theology: Genesis 22 connects with its central placement of Abraham and the promise he received. However, Gen 22 simultaneously breaks away from it—and from Chronistic theology—through the subordination of sacrifice to the “sentiment” of the offerer and the spiritual broadening of Zion theology. “Fear of God” (in the sense given it in Gen 22) can become a cipher for “Jerusalem” as a place of God’s salvific presence.

Genesis 22 also sets itself in relationship with the (later) wisdom tradition in a special way. Its specific interpretation of “fear of God” (22:12) brings Gen 22 close to the functional merger of law and wisdom in the late layers of the Pentateuch.¹¹³ It is, however, characteristic that the convergence of law and wisdom in Gen 22 is achieved through obedience to an actual command given by God and not to the law (cf. Gen 26:5).

Finally, Gen 22 likely also implicitly considered pronouncements from the Prophets,¹¹⁴ although the contacts here are more of a thematic nature. The substantive problem of Gen 22 not only concerns the promises of Genesis, but also those of the prophetic books that follow the historical books of the Hebrew Bible in the canonical (and likely also in the proto-canonical) direction of reading, for in the time of the formation of Gen 22, the Torah and Former Prophets apparently were not separate. From the perspective of Gen 22, one can conclude the same for the prophetic promises of salvation: if God seems to have rescinded them, if Israel also seems to have to return them to God, their existence remains guaranteed, even through the most fundamental peril.

Converted to the population size, Carter comes to the conclusion in his calculations that “the population of the province [sc. Yehud] in the Persian period was about one-third of that in the previous period” (*Emergence of Yehud*, 247), which means a dramatic decline. From this backdrop, the topic of Gen 22 takes on its own accent of timeliness for its contemporary history.

113. See n. 73, above.

114. On Mic 6:6–8, see n. 52, above, as well as Kaiser, “Die Bindung,” 223.

The Joseph Story in the Pentateuch

18.1. The Significance of the Joseph Story for Scholarship on the Pentateuch/Hexateuch

Given the differences in views shaping modern pentateuchal scholarship, in addition to the uncontroversial thesis of the presence of a Priestly stratum (P) in the most recent discussion,¹ a further basic constant remains recognizable at the heart of a range of both more classical and also newer delineations: the conjecture of a pre-Priestly Tetrteuch, whether called J, JE, JG, or KD. Even where explicit distance from the Documentary Hypothesis is posited, this conjecture continues to live off the basis of its theoretical heritage assuming that the Priestly and non-Priestly material in the Pentateuch basically run parallel to one another. The decisive point in the Hebrew Bible for this perspective is the prevalence in the Pentateuch of P. P was incorporated into the Pentateuch, which naturally intends for the rest of the material to be read from P's point of view. However, the dimension seen in terms of the Pentateuch's reception of P need not reflect the (literary-)historical situation.

If one frees one's self from the Priestly reception in the reconstruction of the pre-Priestly stages of tradition, it quickly becomes clear that the functional break between Genesis and Exodus within the Tetrteuch comes across as a deep break, which in the meantime has been acknowledged in various places. Even advocates of the Documentary Hypothesis

1. For discussion of introductory literature on P, see the indications in Konrad Schmid, *Genesis and the Moses Story: Israel's Dual Origins in the Hebrew Bible*, Siphrut 3 (Winona Lake, IN: Eisenbrauns, 2010), 47–49 with bibliography; trans. from *Erzähler und Exodus: Untersuchungen zur doppelten Begründung der Ursprünge Israels innerhalb der Geschichtsbücher des Alten Testaments*, WMANT 81 (Neukirchen-Vluyn: Neukirchener Verlag, 1999), 53–55.

such as Horst Seebass agree that the ancestral story has “hardly any affinity with the continuation in Exodus.”² Further, the reverse, that the introduction of the book of Exodus in Exod 1 is conspicuous because all memory of Joseph there must initially be eradicated in order to make its narrative flow, can be plausibly related. Joseph dies, and a new king arises over Egypt who cannot know anything about Joseph (Exod 1:6–8).³

The fact that this functional break could also be relevant from a literary perspective was hardly considered within the framework of the Documentary Hypothesis. Following Martin Noth, one saw the ancestral and the exodus stories as two pentateuchal themes that originally stood next to one another—not one after the other—orally, namely, at the beginning of the Pentateuch’s *Überlieferungsgeschichte*.⁴ That is, they were connected with one another literarily by the basic layer G (*Grundlage*) or at least by the Yahwist. The fact that the ancestors and exodus have moved so close to one another resulted less from the literary evidence (which at most could have played a role in that one thought to find the J/E distinction from Genesis once again in Exodus and therefore postulated J and E strands that reach from Genesis to Exodus⁵) than as a consequence of Gerhard von Rad’s conjecture of the “short historical credo.”⁶ This credo appeared to attest to the great antiquity of the hexateuchal order and connection of the pentateuchal themes.

For some time hardly anyone has continued to rely on this argument.⁷ However, the conjecture of a still pre-Priestly connection between Genesis

2. Horst Seebass, “Pentateuch,” *TRE* 26:187.

3. See the information in Schmid, *Genesis and the Moses Story*, 35, 62.

4. Martin Noth, *A History of Pentateuchal Traditions*, trans. Bernhard W. Anderson (Englewood Cliffs, NJ: Prentice-Hall, 1972); trans. of *Überlieferungsgeschichte des Pentateuch* (Stuttgart: Kohlhammer, 1948).

5. Especially clear is Julius Wellhausen, *Die Composition des Hexateuchs und der historischen Bücher des Alten Testaments*, 3rd ed. (Berlin: Reimer, 1899), 52.

6. Gerhard von Rad, “The Form-Critical Problem of the Hexateuch,” in *The Problem of the Hexateuch and Other Essays*, trans. E. W. Trueman Dicken (London: SCM, 1984), 1–78; trans. of “Das formgeschichtliche Problem des Hexateuch,” in *Gesammelte Studien zum Alten Testament*, 2 vols., TB 8 and 48 (Munich: Kaiser, 1958–1973), 9–86; taken up by Noth, *History of Pentateuchal Traditions*, 2–3, 51, and *passim*.

7. Cf. Leonard Rost, “Das kleine geschichtliche Credo,” in *Das kleine Credo und andere Studien zum Alten Testament* (Heidelberg: Quelle & Meyer, 1965): 11–25; Norbert Lohfink, “Zum ‘kleinen geschichtlichen Credo’ Dtn 26,5–9,” *TP* 46 (1971): 19–39; most recently Jan C. Gertz, “Die Stellung des kleinen geschichtlichen Credos in der

and Exodus and with it a pre-Priestly Tetrateuch, in the meantime dated much later (that is, into the early postexilic period), remained so common into the recent past that it could almost be unquestionably presupposed.⁸

The manner in which large-scale and influential works by Erhard Blum on Gen 12–50 and Exodus–Numbers/Deuteronomy have been received in pentateuchal scholarship have played a major role.⁹ They basically follow Rolf Rendtorff's dissolution of the sources into blocks, but contrary to Rendtorff's openness on this question,¹⁰ they present an already pre-Priestly chain of the blocks Genesis/Exodus–Numbers/Deuteronomy (KD), which were brought even closer through the Priestly compositional layer (KP) in the Pentateuch. Blum specifies, "One is not

Redaktionsgeschichte von Deuteronomium und Pentateuch," in *Liebe und Gebot: Studien zum Deuteronomium; Festschrift zum 70. Geburtstag von Lothar Perlitt*, ed. Reinhard G. Kratz and Hermann Spieckermann, FRLANT 190 (Göttingen: Vandenhoeck & Ruprecht, 2000), 30–45.

8. See, e.g., Christoph Levin, *Der Jahwist*, FRLANT 157 (Göttingen: Vandenhoeck & Ruprecht, 1993), 9, emphasis original: "In the pre-Priestly material of the Tetrateuch there *must* have been a redactional thread that linked a considerable portion of the various matter together for the first time into the present sequence of the salvation-historical events" ("Es *muss* im vorpriesterschriftlichen Material des Tetrateuchs ein redaktioneller Faden vorhanden sein, der einen beträchtlichen Teil des unterschiedlichen Stoffs erstmals zu der vorliegenden Abfolge des heilsgeschichtlichen Geschehens verknüpft hat"); or Otto Kaiser, *Die erzählenden Werke*, vol. 1. of *Grundriss der Einleitung in die kanonischen und deuterokanonischen Schriften des Alten Testaments* (Gütersloh: Gütersloher Verlaghaus, 1992), 63: "One considers the Yahwistic historical work J the foundation of the Pentateuch narratives as every text that is non-Elohistic, non-Deuteronomistic, and non-Priestly, that pits together into a coherent narrative thread and uses the divine name יהוה" ("Dem Jahwistischen Geschichtswerk J als dem Grundstock der Pentateucherzählungen ordnet man grundsätzlich alle nicht elohistischen, nicht deuteronomistischen und nicht priesterlichen Texte zu, die sich zu einem kohärenten Erzählfaden zusammenfügen und den Gottesnamen יהוה gebrauchen"). Unless otherwise noted, translations are mine.

9. Erhard Blum, *Die Komposition der Vätergeschichte*, WMANT 57 (Neukirchen-Vluyn: Neukirchener Verlag, 1984); Blum, *Studien zur Komposition des Pentateuch*, BZAW 189 (Berlin: de Gruyter, 1990).

10. Rolf Rendtorff, *Das überlieferungsgeschichtliche Problem des Pentateuch*, BZAW 147 (Berlin: de Gruyter, 1977), 162–63 (trans. *The Problem of the Process of Transmission in the Pentateuch*, trans. John J. Scullion, JSOTSup 89 [Sheffield: Sheffield Academic, 1990]); Rendtorff, "Der 'Jahwist' als Theologe? Zum Dilemma der Pentateuchkritik," in *Congress Volume Edinburgh 1974*, ed. G. W. Anderson et al., VTSup 28 (Leiden: Brill, 1975), 166; on this see Schmid, *Genesis and the Moses Story*, 11.

able to separate the two compositions [KD and KP] from one another, much ... speaks even for the parallel nature and simultaneity of the traditions of each.”¹¹ However, some have interpreted Blum’s results de facto as a clear verification of a pre-Priestly Tetrateuch (developed as a prefix to the Deuteronomistic History).

However, Blum also sees “the widest ditch within the composition” between Genesis and Exodus.¹² It is so wide that Blum recently reduced KD to the scope of Exodus–Numbers/Deuteronomy.¹³ He thereby moves toward a strand of scholarship begun by Albert de Pury and Thomas Römer, but in the meantime also followed by other exegetes, that does not recognize any pre-Priestly link between the ancestors and the exodus.¹⁴ (Blum does, however, hold to a preexistent conceptual sequence of the two themes.)

11. Blum, *Komposition des Pentateuch*, 357 n. 87: “Allzu weit wird man beide Kompositionen nicht von einander abrücken dürfen; manches ... spricht geradezu für ein Nebeneinander und eine Gleichzeitigkeit der jeweiligen Tradenten.”

12. Blum, *Komposition des Pentateuch*, 103: “der breiteste Graben innerhalb der Komposition.”

13. Erhard Blum, “Die literarische Verbindung von Erzvätern und Exodus Ein Gespräch mit neueren Endredaktionshypothesen,” in *Abschied vom Jahwisten: Die Komposition des Hexateuch in der jüngsten Diskussion*, ed. Jan C. Gertz, Konrad Schmid, and Markus Witte, BZAW 315 (Berlin: de Gruyter, 2002), 119–56.

14. Albert de Pury, “Le cycle de Jacob comme légende autonome des origines d’Israël,” in *Congress Volume Leuven 1989*, ed. John A. Emerton, VTS 43 (Leiden: Brill, 1991), 78–96; de Pury, “Las dos leyendas sobre el origen de Israel (Jacob y Moisés) y la elaboración del Pentateuco,” *EstBib* 52 (1994): 95–131; de Pury, “Abraham: The Priestly Writer’s ‘Ecumenical’ Ancestor,” in *Rethinking the Foundations: Historiography in the Ancient World and in the Bible; Essays in Honour of John Van Seters*, ed. Steven L. McKenzie and Thomas Römer, BZAW 294 (Berlin: de Gruyter, 2000), 163–81; de Pury, “Der priesterschriftliche Umgang mit der Jakobsgeschichte,” in *Schriftauslegung in der Schrift: Festschrift für Odil Hannes Steck zu seinem 65. Geburtstag*, ed. Reinhard G. Kratz, Thomas Krüger, and Konrad Schmid, BZAW 300 (Berlin: de Gruyter, 2000), 33–60; Thomas Römer, *Israels Väter: Untersuchungen zur Väterthematik im Deuteronomium und in der deuteronomistischen Tradition*, OBO 99 (Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 1990). See also the other essays in Gertz, Schmid, and Witte, *Abschied vom Jahwisten*; and further esp. Schmid, *Genesis and the Moses Story*; Jan C. Gertz, *Tradition und Redaktion in der Exoduserzählung: Untersuchungen zur Endredaktion des Pentateuch*, FRLANT 186 (Göttingen: Vandenhoeck & Ruprecht, 2000); Eckart Otto, *Das Deuteronomium im Pentateuch und im Hexateuch: Studien zur Literaturgeschichte von Pentateuch und Hexateuch im Lichte des Deuteronomiumrahmens*, FAT 30 (Tübingen: Mohr Siebeck, 2000), 264; Otto, *Mose:*

In reality, a number of indicators speak in favor of the proposal—one not new in terms of the material¹⁵—that readers should fundamentally differentiate between Genesis and Exodus in literary terms and in terms of content. Therefore, it is evident that the Joseph story found between the ancestors and Exodus and its diachronic interpretation takes on critical importance. This is the case even if one were to overload it, on the other hand, with bearing the exclusive burden concerning the question of a pre-Priestly or first post-Priestly connection between the ancestors and the exodus, for it provides supportive and resistant observations for both positions.

In its present sequence, it unquestionably provides a bridge between the ancestors and exodus as an eisodus tradition explaining how Israel's ancestors came to Egypt. The topic of Egypt belongs to the substance of the Joseph story. If one reckons with a pre-Priestly form of the Joseph story and, therefore, that it is laid out as a continuation into an exodus report, then the conjecture of a pre-Priestly Tetrateuch becomes unavoidable. On the other hand, it is just as clear that the Joseph story, as especially Noth already maintained,¹⁶ can be conceived from its beginning as a depiction of an eisodus with the continuation in Exod 1–14, such that it does not pursue its goal very purposefully (the tribe of Jacob is in Canaan once again in Gen 50). It then constructs tensions especially with the content of the subsequent depiction of the exodus (one need only compare the depictions of the pharaoh or the Israelites in Gen 37–50 with those in Exod 1–15).¹⁷ This speaks against an ancient bridge function for the Joseph story. What then requires explanation is, however, the Egypt theme, which

Ägypten und das Alte Testament, SBS 189 (Stuttgart, Katholisches Bibelwerk, 2000), 59 n. 74.

15. For indicators, see in detail Schmid, *Genesis and the Moses Story*, 50–92. See in this perspective, for example, Kurt Galling, *Die Erwählungstraditionen Israels* (Gießen: Töpelmann, 1928); Albrecht Alt, “Der Gott der Väter,” in *Kleine Schriften zur Geschichte des Volkes Israel* (Munich: Beck, 1959), 1–78; see also R. Walter L. Moberly, *The Old Testament of the Old Testament: Patriarchal Narratives and Mosaic Yahwism*, OBT (Minneapolis: Fortress, 1992).

16. Noth, *History of Pentateuchal Traditions*, 208–13.

17. See Schmid, *Genesis and the Moses Story*, 50–55; on the image of Pharaoh, see esp. Barbara Green, “The Determination of Pharaoh: His Characterization in the Joseph Story (Genesis 37–50),” in *The World of Genesis: Persons, Places, Perspectives*, ed. Philip R. Davies and David J. A. Clines, JSOTSup 257 (Sheffield: Sheffield Academic, 1998), 150–71.

cannot be cut out. For what other purpose, outside of leaving there once again, do Joseph and the clan of Jacob find themselves in Egypt?

This first mention of a problem may already indicate possible roads to resolutions. The question of the bridging function of the Joseph story between the ancestors and exodus requires literary-historical differentiation. The Joseph story now forms the connection between the ancestors and exodus, but it evidently first became the literary bridge between these themes over the course of their literary history. When did this take place, and what was the Joseph story prior to this?

These questions are only answerable when one provides an opinion on the literary, historical, and conceptual problems of the Joseph story. These problems are, as the wide-ranging scholarly discussion indicates, complex and will be addressed only summarily within the framework of this essay. At the same time, the following considerations provide a certain amount of help.

18.2. The Literary Problem of the Joseph Story

Because the Joseph story represents an especially sensitive section for the formation of theories on the emergence of the Pentateuch, its history of interpretation oscillates constantly between the two poles: on the one hand, the interpretation of general observations and, on the other, the emphasis on internal textual evidence.¹⁸ It is correct that both perspectives

18. On the history of scholarship see Hans Jochen Boecker, "Überlegungen zur Josephsgeschichte," in *Alttestamentlicher Glaube und Biblische Theologie: Festschrift für Horst Dietrich Preuss zum 65. Geburtstag*, ed. Jutta Hausmann and Hans-Jürgen Zobel (Stuttgart: Kohlhammer, 1992), 35–45; Otto Kaiser, *Studien zur Literaturgeschichte des Alten Testaments*, FB 90 (Würzburg: Echte, 2000), 84–85 n. 102; Harald Schweizer, "Josefsgeschichte," *NBL* 2:388–89; Carolin Paap, *Die Josephsgeschichte Gen 37–50: Bestimmungen ihrer literarischen Gattung in der zweiten Hälfte des 20. Jahrhunderts*, EHS.T 534 (Frankfurt am Main: Lang, 1995); Raymond de Hoop, *Genesis 49 in Its Literary and Historical Context*, OTS 39 (Leiden: Brill, 1999), 366–450; Lothar Ruppert, "Die Aporie der gegenwärtigen Pentateuchdiskussion und die Josefserzählung der Genesis," *BZ* 29 (1985): 31–48; Ruppert, "Zur neueren Diskussion um die Josefsgeschichte der Genesis," *BZ* 33 (1989): 92–97; Ludwig Schmidt, "Josephnovelle," *TRE* 17:255–58; Hans-Christoph Schmitt, "Die Hintergründe der 'neuesten Pentateuchkritik' und der literarische Befund der Josefsgeschichte Gen 37–50," *ZAW* 97 (1985): 161–79; Josef Scharbert, "Josef als Sklave," *BN* 37 (1987): 104–28; J. Alberto Soggin, "Notes on the Joseph Story," in *Understanding Poets and Prophets: Essays in Honour of*

must play a role, but a balanced, coherent relationship between the two has only seldom come to fruition.

Therefore, the Joseph story could be brought forward as evidence for the classical separation of sources, but also evaluated as an example against it.¹⁹ The division of the Joseph story into J and E has, however, become quite out of practice in most recent scholarship. For in this case, both internal textual evidence as well as overarching considerations undermine the thesis. Though pieces of text appear in the Joseph story that one might interpret as doublets, their separation does not reveal complete parallel threads, but rather only reconstructions with narrative gaps.²⁰ The fact that E could have had the depiction of J in front of it in literary form presents a plausible conclusion within the stipulations of the source model.²¹ However, when tested it calls for a supplementary model. If one sidesteps the emphasis on a redactor accomplishing the

George Wishart Anderson, ed. A. Graeme Auld, JSOTSup 152 (Sheffield: JSOT Press, 1993), 336–49; R. Norman Whybray, “The Joseph Story and Pentateuchal Criticism,” VT 18 (1968): 522–28.

19. As evidence for, see Wellhausen, *Die Composition*, 52; Hermann Gunkel, *Genesis: Übersetz und erklärt*, 6th ed., HKAT 1.1 (Göttingen: Vandenhoeck & Ruprecht, 1964); Noth, *History of Pentateuchal Traditions*, 28–30, 35–36; Gerhard von Rad, *Das erste Buch Mose: Genesis*, 9th ed., ATD 2–4 (Göttingen: Vandenhoeck & Ruprecht, 1972); Lothar Ruppert, *Die Josephserzählung der Genesis: Ein Beitrag zur Theologie der Pentateuchquellen*, SANT 11 (Munich: Kösel, 1965); Ludwig Schmidt, *Literarische Studien zur Josephsgeschichte*, BZAW 167 (Berlin: de Gruyter, 1986), 127–297; Josef Scharbert, *Genesis 12–50*, NEchtB (Würzburg: Echter, 1986); Scharbert, “Ich bin Josef, euer Bruder”: *Die Erzählung von Josef und seinen Brüdern, wie sie nicht in der Bibel steht* (St. Ottilien: EOS, 1988); Klaus Koenen, “Gerechtigkeit und Gnade: Zu den Möglichkeiten weisheitlicher Lehrerzählungen,” in *Recht–Macht–Gerechtigkeit*, ed. Joachim Mehlhausen, VWGTh 14 (Gütersloh: Kaiser, 1998), 288 and n. 54; Horst Seebass, *Genesis III: Josephsgeschichte (37,1–50,26)* (Neukirchen-Vluyn: Neukirchener Verlag, 2000). As evidence against, see Wilhelm Rudolph, “Die Josefsgeschichte,” in *Der Elohist als Erzähler: Ein Irrweg der Pentateuchkritik? An der Genesis erläutert*, ed. Paul Volz and Wilhelm Rudolph, BZAW 63 (Giessen: Töpelmann, 1933), 143–83; Hans-Christoph Schmitt, *Die nichtpriesterliche Josephsgeschichte: Ein Beitrag zur neuesten Pentateuchkritik*, BZAW 154 (Berlin: de Gruyter, 1980); cf. Schmitt, “Die Hintergründe”; Ulrike Schorn, *Ruben und das System der zwölf Stämme Israels: Redaktionsgeschichtliche Untersuchungen zur Bedeutung des Erstgeborenen Jakobs*, BZAW 248 (Berlin: de Gruyter, 1997), 224–67.

20. Noth, *History of Pentateuchal Traditions*, 30, 36; Schmidt, *Josephsgeschichte*, 272, 281.

21. Ruppert, “Die Aporie”; Schmidt, *Josephsgeschichte*, 281.

work of composition in collaboration with the sources without allowing for further dissection,²² then this is merely a false solution. Without the separation of sources there are no sources. Furthermore, the plausibility of a J/E distinction in the Joseph story has been strongly reduced given the highly questionable existence of E at all.

The strongly cohesive character of the Joseph story in its layout as a wisdom-influenced novella has become increasingly highlighted ever since von Rad.²³ While von Rad himself retained the conjecture that the present Joseph story, with all its internal coherence, could be traced back to J and E strands,²⁴ neither did he make this literary disentangling into the individual strands as the basis for his interpretation. R. Norman Whybray especially has articulated the inconsistency in von Rad's interpretation: If the Joseph story truly forms a well-composed and also continuous whole shaped by wisdom, then the separation into J/E no longer remains ten-

22. Gunkel, *Genesis*, 457; Seebass, *Genesis III*, 214; Schmidt, *Josephsgeschichte*, 293; Ruppert, "Die Aporie," 48.

23. Gerhard von Rad, "The Joseph Narrative and Ancient Wisdom," in *The Problem of the Hexateuch*, 292–300; von Rad, "Die Josephsgeschichte," in *Gottes Wirken in Israel: Vorträge zum Alten Testament* (Neukirchen-Vluyn: Neukirchener-Verlag, 1974), 22–41. For works going beyond von Rad, see esp. Hans-Peter Müller, "Die weisheitliche Lehrerzählung im Alten Testament und seiner Umwelt," in *Mensch-Umwelt-Eigenwelt: Gesammelte Aufsätze zur Weisheit Israels* (Stuttgart: Kohlhammer, 1992), 22–43; Claus Westermann, *Genesis 37–50*, BKAT 1.3 (Neukirchen-Vluyn: Neukirchener Verlag, 1982), 282–83; critical are James L. Crenshaw, "Method in Determining Wisdom Influence upon 'Historical' Literature," *JBL* 88 (1969): 129–42; Donald B. Redford, *A Study of the Biblical Story of Joseph (Genesis 37–50)*, VTSup 20 (Leiden: Brill, 1970); George W. Coats, "The Joseph Story and Ancient Wisdom: A Reappraisal," *CBQ* 35 (1973): 285–97; Eckart Otto, "Die 'synthetische Lebensaufassung' in der frühköniglichen Novellistik Israels: Ein Beitrag zur alttestamentlichen Anthropologie," *ZTK* 74 (1977): 371–400. See the discussion in Blum, *Die Komposition der Vätergeschichte*, 238–39 and n. 30; most recently Michael V. Fox, "Wisdom in the Joseph Story," *VT* 51 (2001): 26–41. See also Westermann, *Genesis 37–50*, 12–13. The designation as a "novella" already appears in Gunkel, *Genesis*, 397; he, too, emphasizes the coherence of the composition, though in addition to division into J/E, he also highlights the compositional character of the Joseph narrative as "individual sagas from which the Joseph story must exist" (396: "einzelnen Sagen, aus denen auch die Josephsgeschichte bestehen muss"), "such that the Joseph narrative displays the highest [quality] of composition that is achieved in Genesis ("So stellt die Josephszählung das Höchste dar, was in der Genesis an Komposition geleistet worden ist").

24. Von Rad, "Die Josephsgeschichte," 22; von Rad, *Genesis*, 304, 379.

able.²⁵ In actuality, a series of recent works on the Joseph story forego a division into two threads that have begun before Gen 37 and should continue beyond Gen 50. They first establish a previously independent narrative that disregards interpretation of the earlier sources J and E.

Especially Herbert Donner's study on the Joseph story has proven influential in the broader discussion.²⁶ While it continues to reckon with the separation into the Pentateuch's familiar sources, it leaves the Joseph story out of this. Although J and E each would have narrated the emigration of Israel's ancestors to Egypt, perhaps even a "Joseph story in miniature," instead of the preexisting reports in the ancient sources, the redactor JE inserted a separate entity of the Joseph story as a bridge between the ancestors and exodus.²⁷ Donner additionally suggests an alternative explanation for what he views as the doublings in the narrative that one contemplates source-critical evaluations. In his perspective, these do not concern doublets but instead result from conscious literary formation according to the "compositional principle of doubling."²⁸

25. Whybray, "Joseph Story and Pentateuchal Criticism."

26. Herbert Donner, *Die literarische Gestalt der alttestamentlichen Josephsgeschichte*, SHAW (Heidelberg: Winter, 1976). See from this perspective also Westermann, *Genesis 37–50*; Odil H. Steck, *Die Paradieserzählung: Eine Auslegung von Genesis 2,4b–3,24*, BibS(N) 60 (Neukirchen-Vluyn: Neukirchener Verlag, 1970), 121–24 n. 291.

27. Reminders of it are, according to Donner (*Josephsgeschichte*, 24–35), still tangible in Gen 41:50–52; 46:1–5a; 48; and 50:23–25. See further Donner, *Josephsgeschichte*, 25–26.

28. Donner, *Josephsgeschichte*, 36–37: "Kompositionsprinzip der Doppelung"; see further examples at 37 n. 71: "The Joseph novella has a striking preference for the number two. To point this out just a little: Joseph's dreams of his brothers, the dreams of the court officials in the prison and the dreams of Pharaoh each appear in pairs; Joseph is imprisoned twice, in the cistern and in the Egyptian jail; the brothers make two trips to Egypt; two attempts are undertaken to bring the youngest brother Benjamin to Egypt; the purchase price of the grain is secretly returned twice to the grainsacks; the brothers have two audiences with Joseph in each of the two stays in Egypt; Jacob and his sons are—it appears—twice encouraged to settle in Egypt" ("Die Josephnovelle hat eine auffallende Vorliebe für die Zahl zwei. Um nur Weniges anzudeuten: Josephs Träume vor seinen Brüdern, die Träume der Hofbeamten im Gefängnis und die Träume des Pharao erscheinen jeweils in Paaren; zweimal wird Joseph gefangengesetzt, in der Zisterne und im ägyptischen Kerker; die Brüder reisen zweimal nach Ägypten; zwei Versuche werden unternommen, den jüngsten Bruder Benjamin nach Ägypten mitzunehmen; zweimal wird der Getreidekaufpreis heimlich in die Kornsäcke zurückgetan; bei beiden Ägyptenaufenthalten haben die Brüder je zwei

Although Donner's study impressed Genesis scholarship, it quickly became clear that his replacement hypothesis concerns a special theory in order to compensate for the source model.²⁹ Therefore, it does not address the particularity of the Joseph story. So it could only remain plausible as long as the source model remained fundamentally valid. Without such restrictive theoretical guidelines on the Pentateuch as a whole, this resolution loses its persuasiveness. The original J and E reports of the Joseph story did not drop out; they instead never existed.

A significant step away from the source model toward a supplementary model took place in the wake of Hans-Christoph Schmitt's exegesis of the non-Priestly Joseph story.³⁰ He differentiated a basic layer that he characterized as an independent narrative ("Judah layer") from a subsequent Elohist redactional revision ("Reuben layer"), which placed the form in the context of the ancestors and exodus. It was later overlaid by a late Yahwistic revision. In this case, the Joseph story in its original form stood as an independent entity that was integrated literarily into the entirety of the Pentateuch through repeated redactional processes.

However, a marked break with earlier scholarship first took place through the detailed verification of the fact that the diachronic evidence on the Joseph story and its redactional integration was not an exception but rather the rule among the further constitutive non-Priestly blocks forming Genesis (and the Pentateuch). Specifically, Rendtorff and Blum presented relevant interpretations of the ancestral story in 1977 and 1984.³¹ They explain its origination through the redactional connection of previously independent literary (individual narratives and) narrative cycles. In 1981, Frank Crüsemann presented an analogous characterization of the primeval history.³² The

Audienzen vor Joseph; Jakob und seine Söhne werden—wie es scheint—zweimal aufgefordert, sich in Ägypten niederzulassen"). See also the adaptation by Ina Willi-Plein, "Historiographische Aspekte der Josefsgeschichte," *Hen* 1 (1979): 305–31.

29. It receives additional support through the structural study by George W. Coats, *From Canaan to Egypt: Structural and Theological Context for the Joseph Story*, CBQMS 4 (Washington, DC: Catholic Biblical Association of America, 1976; cf. earlier Coats, "Redactional Unity in Genesis 37–50," *JBL* 93 [1974]: 15–21), though he limits the plot of the Joseph story to 37:1–47:27.

30. Schmitt, *Josephsgeschichte* (summarizing the assignments on 197–98); cf. Schmitt, "Die Hintergründe"; Schorn, *Ruben und das System*, 224–48.

31. Rendtorff, *Problem*; Blum, *Die Komposition der Vätergeschichte*.

32. Frank Crüsemann, "Die Eigenständigkeit der Urgeschichte: Ein Beitrag zur Diskussion um den 'Jahwisten,'" in *Die Botschaft und die Boten: Festschrift für Hans*

Joseph story was, in this case, originally a literarily independent component of the ancestral story, which would also be assumed for the Abraham-Lot cycle,³³ or for the Jacob narrative as well. However, with the difference that it was conceived from the beginning as a larger context and not also of previously independent entities then brought together.

While the conjecture that the Joseph story consists of an originally independent entity appears to have become increasingly established, whether within a source or a block/supplementary model of the Pentateuch, a new point of discussion has resulted in recent scholarship that was prepared by Claus Westermann and George Coats: How far does the original Joseph story extend?³⁴ While it remained out of the question that the entire arc of Gen 37–50 should be proposed, a whole series of more recent works, on the other hand, consider the oft-observed double climax of the Joseph narrative with the two interpretive passages in 45:5–8 and 50:15–21 composition-critically such that Gen 45 presents the original conclusion of the Joseph narrative. Walter Dietrich was the first to voice this view in detail.³⁵ According to Dietrich, the narrative ended when Joseph's broth-

Walter Wolff zum 70. Geburtstag, ed. Jorg Jeremias and Lothar Peritt (Neukirchen-Vluyn: Neukirchener Verlag, 1981), 11–29; see now also Markus Witte, *Die biblische Urgeschichte: Redaktions- und theologiegeschichtliche Beobachtungen zu Genesis 1,1–11,26*, BZAW 265 (Berlin: de Gruyter, 1998); Norbert Clemens Baumgart, *Die Umkehr des Schöpfergottes: Zu Komposition und religionsgeschichtlichem Hintergrund von Gen 5–9*, HBS 22 (Freiburg im Breisgau: Herder, 1999).

33. The Abraham narratives have newly been judged as redaction by David Carr, *Reading the Fractures of Genesis: Historical and Literary Approaches* (Louisville: Westminster John Knox, 1996), 203–4; and Reinhard G. Kratz, *The Composition of the Narrative Books of the Old Testament*, trans. John Bowden (London: T&T Clark, 2005), 270–73; trans. of *Die Komposition der erzählenden Bücher des Alten Testaments*, UTB 2157 (Göttingen: Vandenhoeck & Ruprecht, 2000), 276–80.

34. Westermann, *Genesis 37–50*, 11–12, 16, limits the “Joseph story in a narrower sense” (“Josephsgeschichte im engeren Sinn”) to Gen 37–45, 46. Westermann sees the conclusion of the Joseph story in the “reconciliation between Joseph and his brothers” (“Versöhnung zwischen Joseph und seinen Brüdern”) and in the “reunion with the father” (“Wiedersehen mit dem Vater”). Coats (*From Canaan*) ends the plot of the Joseph story in Gen 47:27.

35. Walter Dietrich, *Die Josephserzählung als Novelle und Geschichtsschreibung: Zugleich ein Beitrag zur Pentateuchfrage*, BThSt 14 (Neukirchen-Vluyn: Neukirchener Verlag, 1989); Dietrich, “Joseph/Josephserzählung,” *RGK* 4:575–77. However, see earlier already Peter Weimar, *Die Meerwundererzählung: Eine redaktionskritische Analyse von Ex 13,17–14,31, ÄAT 9* (Wiesbaden: Harrassowitz, 1985), 146 n. 100.

ers report to the father “the unbelievable,” namely that Joseph lives, “and he does not believe it. First when they describe in detail all that Joseph told them does the old, inwardly almost extinguished man return back to life: a wonderful conclusion to the novella.”³⁶ Contrary to Westermann’s limitation of the Joseph story in its narrower sense to Gen 37–45 or 46, this summary is characterized primarily by the fact that it foregoes the reunion of the family with Joseph—the report of Joseph’s survival and rise concludes the narrative.

This delineation is followed by Norbert Kebekus, Christoph Levin, and Reinhard Kratz as well, who goes further and suggests that the original Joseph story of Gen *37–45 was a dependent supplementation of the ancestral story.³⁷ He argues, “The persons acting are the same as those who also occur in the Yahwistic patriarchal history in Gen. 12–35; furthermore they appear—almost throughout—in a constellation that occurs elsewhere only in the (Yahwistic) patriarchal history (Gen. 39–30; 32): Jacob is Israel; Joseph is the first, favorite son of the preferred Rachel; Reuben, Simeon, and Judah are the sons of Leah, who has been displaced but is the first to give birth; Benjamin is the youngest son of Rachel and the special pledge in the Joseph story.... However, this means that the Joseph story, which was dependent on the exposition in Gen. 37, was never independent, but from the start belongs in the context of the patriarchal story.”³⁸

36. Dietrich, *Josephserzählung*, 40: “das Unglaubliche ... und er glaubt es auch nicht. Erst als sie ausführlich wiedergeben, was Joseph ihnen alles erzählt hat, kehrt in den alten, innerlich fast erloschenen Mann das Leben zurück: ein wundervoller Abschluss der Novelle.”

37. Norbert Kebekus, *Die Joseferzählung: Literarkritische und redaktionsgeschichtliche Untersuchungen zu Genesis 37–50* (Münster: Waxman, 1990), 149–52; Levin, *Der Jahwist*, 303. Levin invokes Gunkel for this limitation, but this is incorrect. Gunkel states, “The original narrative material reaches its end with the reunion of the family” (Hermann Gunkel, “Die Komposition der Joseph-Geschichten,” *ZDMG* 76 [1922]: 69: “Der ursprüngliche Erzählungsstoff hat mit der Wiedervereinigung der Familie sein Ende erreicht”); Gen 45 simply does not narrate this. Kratz, *Composition*, 274–79, is uncertain of the determination of the final statement, see 324 n. 24: Gen 37:3a(b), 4a, (5–8,) 12–18, (19–20, 23–24, 25–27), 28a(α²)βb, (31–35; 39:1a); 39:1b–41:45; 42–44; 45:1–4, 14–15, 25–26aa (or, 27aab).

38. Kratz, *Composition*, 276: “Die handelnden Personen sind dieselben, die auch in der jahwistischen Vätergeschichte in Gen 12–35 begegnen, ja mehr noch, sie erscheinen – und zwar fast durchweg—in derselben Konstellation wie sonst nur in der (jahwistischen) Vätergeschichte (Gen 29–30 und 32): Jakob ist Israel, Josef ist der erste bevorzugte Sohn der bevorzugten Rahel, Ruben, Simeon und Juda die Söhne der

The difficulties surrounding the literary problems of the Joseph story in recent years have led to the dedication of more attention to the stratum of text in Gen 37–50 that also emerges most prominently in Genesis/Exodus: P.³⁹ P is generally attributed 37:(*)1(–2) (; 41:46a); 46:6–7 (, 8–27 [P^s]); 47:(5–11, *) 27–28 (; 48:[*]3–7); 49:(*1a, 28b,) 29–33; 50:12–13(, *22, *26).⁴⁰ It is clear, however, that these texts do not constitute a “Joseph story”⁴¹ but essentially the eisodus, Israel becoming a people, and the

zurückgesetzten, aber erstgebärenden Lea, Benjamin ist der jüngste Sohn der Rahel und das besondere Pfand in der Josefsgeschichte.... Das aber bedeutet: Die Josefsgeschichte, die auf die Exposition in Gen 37 angewiesen ist, war nie selbständig, sondern gehört von vornherein in den Kontext der Vätergeschichte”; see also the considerations in Westermann, *Genesis 37–50*, 15.

39. See in detail Rüdiger Lux, “Geschichte als Erfahrung: Erinnerung und Erzählung in der priesterschriftlichen Rezeption der Josefsnovelle,” in *Erzählte Geschichte: Beiträge zur narrativen Kultur im alten Israel*, BThSt 40 (Neukirchen-Vluyn: Neukirchener Verlag, 2000), 147–80.

40. This delimitation follows the substance and largely agrees, but varies in the detailed demarcation; cf. Wellhausen, *Die Composition*, 51–52; Gunkel, *Genesis*, 492; Noth, *History of Pentateuchal Traditions*, 18; Karl Elliger, “Sinn und Ursprung der priesterlichen Geschichtserzählung,” *ZTK* 49 (1952): 121–43; repr., *Kleine Schriften zum Alten Testament*, ed. Hartmut Gese und Otto Kaiser, TB 32 (Munich: Kaiser, 1966), 174; Norbert Lohfink, “Die Priesterschrift und die Geschichte,” in *Congress Volume Göttingen 1977*, ed. John A. Emerton, VTSup 29 (Leiden: Brill, 1978), 189 n. 29; repr., *Studien zum Pentateuch*, SBAB 4 (Stuttgart: Katholisches Bibelwerk, 1988), 222 n. 29; Schmitt, *Josephsgeschichte*, 189; Schmidt, *Josephsgeschichte*, 287–89; Levin, *Der Jahwist*, 262, 271, 285, 305, 309, 315; Donner, *Josephsgeschichte*, 7 n. 3; de Pury, “Le cycle de Jacob,” 82; Carr, *Fractures*, 271; Thomas Pola, *Die ursprüngliche Priesterschrift: Beobachtungen zur Literarkritik und Traditionsgeschichte von Pg*, WMANT 70 (Neukirchen-Vluyn: Neukirchener Verlag, 1995), 343; J. Alberto Soggin, *Das Buch Genesis: Kommentar*, trans. Thomas Frauenlob (Darmstadt: Wissenschaftliche Buchgesellschaft, 1997), 427–28; Seebass, *Genesis III*, 211; Kratz, *Composition*, 231, 241, 274–75; Ernst Axel Knauf, “Gen 36,1–43,” in *Jacob: Commentaire à plusieurs voix de Gen. 25–36*, ed. Jean-Daniel Macchi and Thomas Römer, MdB 44 (Geneva: Labor et Fides, 2001), 292–93; Lux, “Geschichte,” 150–51, 158. On the attempts by Schmidt, Carr, Soggin, and Seebass, to find P also in Gen 45, see n. 41.

41. Horst Seebass (*Geschichtliche Zeit und theonome Tradition in der Joseph-Erzählung* [Gütersloh: Mohn, 1978], 53–55; Seebass, *Genesis III*, 117), Schmidt (*Josephsgeschichte*, 174–75), and Carr (*Fractures*, 106 n. 56) differ from other interpreters in that they also attribute portions of text from Gen 45 to a Priestly Joseph story. The argumentation is supported primarily by theoretical plausibilities from the Documentary Hypothesis: 46:6–7 (or 46:5b–7) would be prepared for well by 45:19–21 and one “should expect something: (Seebass, *Genesis III*, 117: “etwas zu erwarten”) between

death of Jacob. On the basis of this P connection between the ancestors and exodus without (the narratively executed depiction of) Joseph, the question arises: Was P not yet familiar with a Joseph story?⁴² The consideration appears worth exploring—especially in light of the broad silence of the pre-Priestly literature of the Hebrew Bible on Gen 37–50.

The most recent works on the Joseph story have introduced primarily three problems into the discussion that require explanation: (1) How should one evaluate the proposal that characterizes the Joseph story as supplementation to Gen 12–36? (2) Is it plausible to limit the original form of the Joseph story to the scope of Gen *37–45? (3) Can the lack of attestation in P as an indication of the first post-Priestly emergence of the Joseph story be analyzed?

18.2.1. The Joseph Story as Supplementation to the Ancestral Story?

We begin with the first point. It is true that the constellation of the story line of Gen 12–36 is closely related to the one of Gen 37–50, such that this thesis initially seems quite likely. However, the similarity in content does not necessarily point to a literary supplementation model for the Joseph story. One should alternatively question whether the conjecture of familiarity with Gen 12–36 is not more likely. In this case one would reckon that Gen 37–50 arose literarily as a narrative on its own, but that Gen 12–36 was known as a functional *Vorlage*.

The following reasons suggest this as the more probable option. First, the supplementation hypothesis must reckon with the fact that the additions to the Joseph story do not align the formal structure of the secondary material with the extant ancestral story in Gen 12–36. They instead accord to its own genre (one does not need to share the opinion that the Joseph

41:46a (P) and 46:6–7 (or 46:5b–7 P). However, as admitted, “P language is not distinctly attested in v. 19–21a^a” (Seebass, *Genesis III*, 117: “P-Sprache in V. 19–21a^a nicht ausgeprägt belegt”).

42. See Thomas Römer, “Joseph approche: Source du cycle, corpus, unité,” in *Le livre de traverse de l'exégèse biblique à l'anthropologie*, ed. Olivier Abel and Françoise Smyth-Florentin (Paris: Cerf, 1992), 79–83; Römer, “La narration, une subversion: L'histoire de Joseph (Gn 37–50*) et les romans de la diaspora,” in *Narrativity in Biblical and Related Texts*, ed. George J. Brooke and Jean-Daniel Kaestli, BETL 149 (Leuven: Peeters, 2000), 21 and n. 32; Jean-Daniel Macchi, *Israël et ses tribus selon Genèse 49*, OBO 171 (Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 1999), 127–28; Christoph Uehlinger, “Fratricide, filiations et paternités dans l'histoire de Joseph (Genèse 37–50),” in Macchi and Römer, *Jacob*, 310–11 with n. 19.

story is describable in form-critical terms as a novella in order to recognize the fundamental formal difference between Gen 12–36 and 37–50). While this conjecture might be possible, it would be unusual. Redaction-historical scholarship thus far has instead demonstrated the conclusion that supplementary textual material leans on the supplemented material. In this case, one would expect Gen 37–50 to look similar to Gen 12–36, which is not exactly the case. Otherwise one would need to identify specific reasons why Gen 37–50 appears as a novella-like appendix. Second, the redactional brackets with the dream revelation in Gen 46:1–5a differ “completely in content and the nature of the formulation from the style of the Joseph novella” and breathe “the spirit of the patriarchal sagas,”⁴³ such that the Joseph story as a transmitted unit evidently would need to be specifically interwoven with Gen 12–36—exactly this is accomplished by Gen 46:1–5a, which in connection with other texts creates the first comprehensive ancestral story of Gen 12–50.⁴⁴ Third, and likely most important, is the return of the “little—taking into account the original independence—discrepancies” in additions that are less plausible than their evaluation as an independent Joseph narrative.⁴⁵ These concern the following points in particular.⁴⁶ (1) According to Gen 35:18–20, Rachel has already died, while Gen 37:8 presupposes that she is still alive. (2) The ancestral story is only familiar with Dinah as the daughter of Jacob; Gen 37:35 is familiar with a plethora of sons and daughters for Jacob. (3) Jacob’s sons in Gen 37–50 themselves already have families (see, e.g., 49:12). (4) According to 37:3, Joseph is considered the son born to Jacob in his old age, but the ancestral story is otherwise not familiar with this (cf. 30:23–24; 31:41). (5) Reuben and Simeon, the strongly compromised sons in the ancestral narrative (Gen 34:30; 35: 22), are characterized positively in the Joseph story. The very fact that these discrepancies are rather slight and hardly connected to

43. Donner, *Josephsgeschichte*, 29: “sich nach Inhalt und Formulierungsart vollkommen vom Duktus der Josephnovelle” and “den Geist der Patriarchensagen.”

44. See Blum, *Die Komposition der Vätergeschichte*, 246–49, 297–301; Carr, *Fractures*, 178; Schmid, *Genesis and the Moses Story*, 55–57, 103–5.

45. Kratz, *Composition*, 265–66.

46. See on this, e.g., Rudolph, “Die Josefsgeschichte,” 181–82; Redford, *Study*, 247–48; Schmitt, *Josephsgeschichte*, 127–28; W. Lee Humphreys, *Joseph and His Family: A Literary Study* (Columbia: University of South Carolina Press, 1988), 195–96; Dietrich, *Die Josephserzählung*, 45; John Van Seters, *Prologue to History: The Yahwist as Historian in Genesis* (Louisville: Westminster John Knox, 1992), 313 and n. 17; Carr, *Fractures*, 272–73; Koenen, “Gerechtigkeit und Gnade,” 286 and n. 47.

specific declarative interests more likely supports their traditional rather than redactional nature.

The literary origins of the Joseph story should, therefore, most probably be sought in the story itself. It is incomprehensible as supplementation to its context. Neither does it imitate the literary form of Gen 12–36, nor does it take up the exact constellation of persons (redactional work does not explain the differences observed here). Stated differently, the Joseph story has the character of a source, and it did not originally emerge bound to its context.⁴⁷

18.2.2. The End of the Joseph Story in Genesis 45?

At first glance, certain observations support the proposal that the original Joseph story ended in Gen 45, so that, according most recently to Kratz, “the narrative thread exposed in Gen 37 comes to a good and sufficient conclusion.”⁴⁸ In the first place, one can mention the motif of the dreams,⁴⁹

47. With the move toward lecanomanty, Gen 44:4, 15 reveals a likely older *überlieferungsgeschichtliche* form of the Joseph story (see Armin Lange, “Becherorakel und Traumdeutung: Zu zwei Formen der Divination in der Josephsgeschichte,” in *Studies in the Book of Genesis: Literature, Redaction and History*, ed. Andre Wénin, BETL 155 [Leuven: Peeters, 2001], 371–79), whose literary reconstructability is, however, less clear than Lange supposes (in taking up the perspective on Gen 37–50 from Schmitt and Schorn). The fact that, as newly advocated a number of times, the earliest core of the Joseph story is present in Gen 39–41 (see Coats, “Joseph Story”; Kratz, *Composition*, 277 and 297 n. 43; Uehlinger, “Fratricide,” 311–13; Rüdiger Lux, *Josef: Der Auserwählte unter seinen Brüdern*, Biblische Gestalten 1 [Leipzig: Evangelische Verlagsanstalt, 2001], 225–29), it—in addition to the problem of a missing exposition—is not obvious given the specific constellations of motifs assimilated especially in Gen 39 of the Egyptian Tale of Two Brothers (cf. Emma Brunner-Traut, *Altägyptische Märchen* [Düsseldorf: Diederichs, 1963], 28–40; see on this Hans Jochen Boecker, “Überlegungen zu Gen 39,” in *Altes Testament: Forschung und Wirkung: Festschrift für Henning Graf Reventlow*, ed. Peter Mommer and Winfried Thiel (Frankfurt am Main: Lang, 1994), 3–13). Besides all the fantastic motifs such as the feature of the adulterous woman, it stands out that toward the end the protagonist also obtains control over Egypt. It is possible that this thematic intensification was the reason for the reception of the scene of the adulteress in Gen 39. The fact that Joseph’s family plays no role in Gen 39–41 does not present anything conspicuous in the narrative development of the Joseph story, but it offers the occasion for speculation with regard to the formation history.

48. Kratz, *Composition*, 277: “kommt der in Gen 37 exponierte Erzählfaden zu einem guten und suffizienten Abschluss.”

49. According to Levin (*Der Jahwist*, 269, 272), while the first dream in Gen 37:5–8 is secondary, it still arose as an element of the originally independent Joseph

which is limited to the textual sphere of 37–45 and provides it with its narrative structure. The dreams each appear in pairs: Joseph has two dreams in Gen 37; the officials of the pharaoh in Gen 40 tell Joseph two dreams; and, finally, the pharaoh also has two dreams in Gen 41.

Joseph's two dreams in Gen 37:7–8, 9–11 result in the “bowing” (השתחוה) of the brothers to Joseph, though there are two differences between the two parallel-formed dreams that should be noted.⁵⁰ The first is that the bowing of the sheaves of the brothers remains before Joseph's sheaf

story: 37:9 is “post-end-redactional” (“nachendredaktionell”); similarly Kratz, *Composition*, 276–77 and n. 68; 324 n. 24. The argument submitted for the secondary nature of 37:5–11 consists of the observation that 37:12 connects to 37:4 (see already Otto Procksch, *Die Genesis übersetzt und erklärt*, KAT 1 [Leipzig: Deichertsche Verlagsbuchhandlung, 1913], 218), but neither the present of the colored robe to Joseph as an expression of fatherly favor (Gunkel's “clothing variant”; cf. on the relationship of the “clothing and dream variants” in Boecker, “Überlegungen zur Josephsgeschichte,” 38–39; Lux, *Josef*, 81 n. 66) nor the favoring of 37:3a alone, if one would rather designate 37:3b as a later interpretation (so Levin, *Der Jahwist*, 271, calling on the verbal form יעשה instead of יעש [according to SP]; Kratz, *Composition*, 324 n. 24), can be viewed as a narratively sufficient motivation for the brothers' attempted murder (cf. already Benno Jacob, *Das erste Buch der Tora: Genesis* [New York: Schocken, 1934], 1017; Boecker, “Überlegungen zur Josephsgeschichte,” 38). Speaking against the composition-critical exclusion of the second dream and its interpretation in 37:9–10 is the fact that the correspondence of 37:10/42:6; 43:26 “to the earth” (ארצה) is destroyed. One fundamentally should not deny the dreams' presence from the original Joseph story because they are foundational drivers of the plot: Joseph's dreams concerning the brothers only become fulfilled because the brothers struggle against them. The intent to kill in 37:20 is explicitly considered in order for Joseph's dreams to be ruined: “The motif that humans attempt to thwart an oracle, such that it nevertheless is fulfilled later, is extraordinarily widely spread” (Gunkel, *Genesis*, 407: “Das Motiv, dass Menschen versuchen, ein Orakel zu vereiteln, dass es sich aber später trotzdem erfüllt, ist ausserordentlich weit verbreitet”). On the coherence of the content of 37:3–11, see Bob Becking, “‘They Hated Him Even More’: Literary Technique in Genesis 37.1–11,” *BN* 60 (1991): 40–47; Carr, *Fractures*, 285.

50. The brother's fear that Joseph would rule over them as “king” (37:8) is not taken up later in the Joseph story, which likely bears fundamental significance: Joseph virtually rejects the exercise of royal-judicial functions over his brothers at the end with the note התחת אלהים אני “Am I in place of God” (50:19b). If the Joseph story concerns political rule (see Frank Crüsemann, *Der Widerstand gegen das Königtum: Die antiköniglichen Texte des Alten Testaments und der Kampf um den frühen israelitischen Staat*, WMANT 49 [Neukirchen-Vluyn: Neukirchener Verlag, 1978], 143–55), then it does not address the foundation of a Josephite kingdom, but rather, pointedly stated, a theocracy.

in the depiction in the first dream. On the contrary, in the second dream sun, moon, and stars bow before “me” (לי), so the image jumps directly into the human sphere. The second difference is that, with the addition of the sun and the moon to the eleven stars, the second dream extends beyond the brothers to include Joseph’s father and mother bowing before him as well. This also explains Jacob’s harsh reaction to the dream (37:10).

As far as the brothers are concerned, these dreams are fulfilled twice. In Gen 42:6, the brothers fall before Joseph on their first trip to Egypt (וישתחו לו אפים ארצה); faced with this gesture, Joseph also remembers his dreams (42:9; חלמות pl.). There was no mention in the dreams of bowing “to the ground” (ארצה), though it does appear in Jacob’s reply to the second dream (42:10). In the second trip, the gesture repeats with the brothers again falling before Joseph (43:26: ארצה [in some textual witnesses: + אפים] וישתחו לו), here as well “to the ground” and even immediately afterward a second time (43:28: ויקדו וישתחו), though this time missing an explicit references to the dreams. Special treatment takes place with the motif envisioned in the second dream from Gen 37 of the bowing (השתחוה 37:9–10) of the parents before Joseph. No fulfillment is reported, but in 47:31b in connection with the immediately imminent (or so reported?)⁵¹ death of Jacob (47:31a), there is mention that he “bows over the head of his bed” (השתחוה) in Joseph’s presence—so the surplus of the second dream’s content also has a certain point of impact in the narrative, even though it is not in the sense of the actual tribute of the father to the son. Therefore, a certain break between the second dream and its fulfillment appears, hindering the polar contrast between a supposedly perfect Joseph and his wayward brothers (Joseph’s dreams have, with regard to the homage of the parents before him, something entirely presumptuous to them, as 37:10 illustrates).

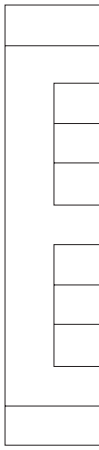
The basic correspondence of the two dreams with the twofold fulfillment should, however, not be formally overdone. In the first fulfillment, 42:9 reflects on *both* dreams in Gen 37. The doubling of Pharaoh’s dreams is interpreted in 41:32 such that the content is identified and quickly realized. Finally, the second dream in 37:9–11 concerning the parents’ paying tribute to Joseph is not literarily fulfilled in the later course of the narrative.

The other dreams are inserted into this large arc of Gen 37/Gen 42–43. The dreams of Pharaoh’s officials in Gen 40:5–23 are fulfilled within three

51. See below n. 93.

days (40:20–23). Pharaoh’s dreams are also fulfilled immediately (41:47, 53; cf. 41:32). However, one can in turn recognize a remarkable double meaning in Pharaoh’s dreams: the motif that the lean cows or the skinny ears “eating” the fat cows or thick ears remains overlooked in Joseph’s interpretation, but it anticipates the actual turn of events that provisions will be made against the famine and the yield of the seven fat years will allow for survival of the seven years of drought.

One can illustrate the structure of Gen 37–45 graphically by means of the dreams as follows:



37:7–8	Joseph’s first dream (sheaves)
37:9–11	Joseph’s second dream (stars)
40:9–15	Dream of the cupbearer
40:16–19	Dream of the baker
40:20–21	Dream of the cupbearer fulfilled
40:22	Dream of the baker fulfilled
41:1–4	Pharaoh’s first dream (cows)
41:5–7	Pharaoh’s second dream (ears)
41:47–49	Pharaoh’s dream fulfilled
41:53–57	Pharaoh’s dream fulfilled
42:6–8	Joseph’s dream fulfilled
43:26–28	Joseph’s dream fulfilled

The brothers also change in Gen 37–45.⁵² Joseph verifies that they have become different than they were in Gen 37, which constitutes one of the conditions for the possibility of reconciliation.

This change is depicted such that Joseph’s fate is repeated in the fate of the brothers. One must differentiate here primarily between two incidents. Joseph’s mortal fall into the cistern, for which the brothers are culpable, is then muted into bondage. This prefigures—with a certain functional shift—the events surrounding the discovery of the cup with Benjamin in Gen 44. The brothers initially offer assured knowledge of their innocence with the death of anyone of them on whom Joseph’s cup is found, but they themselves are taken into bondage to Joseph (44:9). Joseph accepts their willingness to undergo punishment, but not the exaggeration put forward

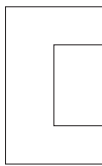
52. On the composition-critical distinctions by Kratz, see *Composition*, 276.

by the brothers. The guilty one alone shall be enslaved to him, the rest go out unpunished. The cup is found on Benjamin, who—in keeping with Joseph’s lenient offer—need not die, but may not return to Jacob. This, however, violates Judah’s previous assurance to Jacob. In this way, Benjamin is put in an analogously dangerous situation to the one in which Joseph found himself in Gen 37. First faced with death, Joseph’s situation also changes into bondage. Through Joseph’s leniency, the situation is defused for Benjamin, but the test intensifies for the brothers. If they insert themselves into the situation on behalf of Benjamin, will they too “only” receive the lot of bondage rather than death?

Setting Joseph and Benjamin parallel with one another directs one’s view also to the parallelism between Joseph and Simeon: Just as Joseph was already carried off to Egypt and endured prison, Simeon also undergoes the same experience when the brothers must leave something of a deposit behind with Joseph in Egypt after the first trip.

It is striking in the cases of Benjamin and Simeon that Joseph’s fate is alluded to for the other brothers as well. With Simeon, the other brothers are also initially in jail for three days (42:17), and analogous to the draconian punishment suggested by the brothers in the matter of the cup, they too would be involved in the punishment.

These correspondences between Joseph’s experience and that of the brothers can be illustrated as follows:⁵³

	37	Joseph in mortal danger
	39/40–41	Joseph in prison
	41:37–45	Joseph’s rise
	42:17–26	Simeon in prison
	44	Benjamin in mortal danger
	45	Recognition

Another striking complex of motifs limited to Gen 37–45 appears in the role that clothing plays as an actor.⁵⁴

53. If one wants, then Joseph’s preservation in distress and his rise can also be linked with the further experience of the brothers. They too are preserved and richly endowed.

54. Dietrich, *Die Josephserzählung*, 15 and n. 21; Aldina da Silva, *La symbolique des rêves et des vêtements dans l’histoire de Joseph et de ses frères*, Héritage et projet 52

Joseph's favored position is first indicated by his colorful robe, which he receives from Jacob.⁵⁵ This very robe is taken off Joseph, manifesting the ruin of his position as the favorite of the father. On the basis of this robe, now sullied with animal blood, Jacob concludes that his son has been torn to pieces by a wild animal. Joseph's clothing again plays an important role in Gen 39: Potiphar's wife grabs him by the robe, which he lets fall so that he flees naked. However, this leaves Potiphar's wife a piece of evidence of the advances she alleges. At his investiture as the second most important person in Egypt, Joseph is magnificently clothed (Gen 41:42). Finally, the brothers as well and especially Benjamin are covered in festive clothing after Joseph makes himself known to them (45:22).

As a result, at least three important motif arcs are mentioned that limit their radius to Gen 37–45.⁵⁶ However, does this really mean that everything brought up in Gen 37 comes to a “good and sufficient conclusion”?⁵⁷ If one does not—which is not recommended—so radically reduce Gen 37 by means of composition-critical operations such that Jacob no longer plays a role,⁵⁸ then Joseph's reunion with his father goes missing from the narrative progression to Gen 45. This very thing comes into view in the text immediately after the postulated concluding verses

(Montreal: Fides, 1994); Victor H. Matthews, “The Anthropology of Clothing in the Joseph Narrative,” *JSOT* 65 (1995): 25–36; Lux, *Josef*, 77–78.

55. On the translation issue see Manfred Görg, “Der gefärbte Rock Josefs,” *BN* 102 (2000): 9–13; Boecker, “Überlegungen zur Josephsgeschichte,” 36.

56. One can, in addition, point out that in 37:24 as well as in 44:17, it narrates how the brothers eat, but Joseph is isolated from them. See Dietrich, *Die Josepherzählung*, 16 n. 27.

57. Kratz, *Composition*, 284: “guten und suffizienten Abschluss.”

58. According to Kebekus, *Die Josepherzählung*, 151: “However, such a reunion scene is not necessarily expected on the textual level, for in the original version of Gen 37* [37:5a, 6–8a, 9, 11a, 12*, 17ba, 18, 22a, 23aba, 24, 28aab–30; see p. 344], which constructs the narrational suspense, the events tellingly only take place between Joseph and his brothers, while Jacob is not even introduced there as an actor” (“Doch ist eine solche Wiedersehensszene auf dieser Textebene auch nicht notwendigerweise zu erwarten, denn in der ursprünglichen Fassung von Gen 37*, wo der Spannungsbogen der Erzählung aufgebaut wird, spielt sich das Geschehen bezeichnenderweise nur zwischen Josef und seinen Brüdern ab, während Jakob als Handlungsträger dort gar nicht eingeführt wird”). However, it is then inconsistent that Kebekus allows 37:9 to remain in the basic text of Gen 37, for the father is still implicitly present there (“the sun and the moon and the eleven stars”).

of 45:26(–27):⁵⁹ “And Israel said: Enough! My son Joseph still lives. I want to go there and see him before I die” (45:28). Not only the present text, but also the narrative trajectory of the Joseph story leads directly to the reunion between Joseph and Jacob. Placing a composition-critical incision in this location goes against the narrative plot, leaving its end hanging in the air.

The father-son thematic is already brought to light in the non-Priestly introduction of the Joseph story in 37:3,⁶⁰ showing itself to be a fundamental element of the narrative. In addition, the motif of the sullied robe appears in Gen 37:31–35,⁶¹ and the thread of Jacob’s announced death begins here (cf. 45:28; 46:30; 47:29–31), which both—as admitted by Levin, for example—aim toward “the reunion of the father with the living Joseph.”⁶² If one pays attention to this theme of life and death in the Joseph story, then it quickly becomes clear that it can neither be cut from it nor limited by placing an end in Gen 45.

The opposition between life and death pervades the entire Joseph story and provides it with structure;⁶³ the central interpretative passages in 45:5–8 and 50:12–21 also explicitly include the Joseph story in the theme of life/survival.

This thematic line begins with the encounter with the brothers in Dothan in 37:18, whose first thought is to “kill” (מות: Gen 37:18; הרג: 37:20, 26) Joseph. However, Joseph survives the attack. On account of his blood-soaked robe that the brothers bring back to the father, the father instead believes that Joseph is dead (see the words of the brothers אכלתהו חיה רעה from 37:20 in the mouth of the father in 37:33: אכלתהו חיה רעה, followed by the proclamation טרף טרף יוסף). Jacob’s assumption that Joseph is dead and the reality that he lives form the basic tension driving the plot in the Joseph story. It is supported by the threat of Jacob’s impending death,

59. 45:(*)26: Levin, *Der Jahwist*, 303; 45:27: Dietrich, *Die Josephserzählung*, 55, undecided Kratz, *Composition*, 324 n. 24.

60. On this see Carr, *Fractures*, 272, 285.

61. In Levin (*Der Jahwist*, 269) and Kratz (*Composition*, 324 n. 24), in each case as an addition, but still within the framework of a Joseph story consisting of Gen *37–45.

62. Levin, *Der Jahwist*, 270–71: “die Wiederbegegnung des Vaters mit dem lebenden Josef.”

63. Cf. on this the distribution of the vocabulary מות: Gen 37:18 (הרג: 37:20, 26); [38:7, 10–12;] 42:2, 20, 37–38; 43:8; 44:9, 20, 22, 31; 45:28; 46:[12,] 30; 47:15, 19, 29; 48:7, 21; 50:5, 15–16, 24, 26; חוה: Gen 42:2, 18; 43:8; 45:7, 27; 47:19, 25, 28; 50:20, 22; חי: Gen 42:15–16; 43:7, 27–28; 45:3, 26, 28; 46:30.

which is also anchored in the beginning. Jacob does not allow himself to be comforted and says: “Yes, in mourning I will descend to my son in Sheol” (37:26). A double question results: Will Jacob be made aware of his misapprehension while still alive and see the supposedly dead Joseph once again (cf. 44:28: *ולא ראיתיו עד הנה*)? And will Joseph see his elderly father once again?

In sequential reading, the theme of Jacob’s death initially moves to the forefront (after 37:35; 42:38; 44:29). At the brothers’ first trip to Egypt, Joseph asks—under the cover of suspicion of spying—about their family relations (42:7–16). The brothers then report to Jacob, while not word-for-word, but still true to the content, that Joseph had asked: “Does your father still live?” (*העוד אביכם חי*, 43:7). Joseph then explicitly poses the question at the brothers’ second trip: “Does he still live?” (*העודנו חי*, 43:27), which the brothers answer positively: “He still lives,” (*עודנו חי*, 43:28). Even when Joseph then immediately makes himself known to his brothers (“I am Joseph” [*אני יוסף*] 45:3), his first question is, “Does my father still live?” (*העוד אבי חי*), now, however, as a question about “my” and not “your” father.

With regard to Joseph, Jacob continues to believe that he is dead until the brothers report “Joseph still lives!” (*עוד יוסף חי*, Gen 45:26). After initial disbelief, Jacob reacts (45:28): “Enough, my son Joseph still lives [*עוד חי יוסף בני חי*, I want to go and see him before I die [*בטרם אמות*].” After the reunion with Joseph in 46:30, Jacob can then determine, “Now I want to die [*אמותה הפעם*], now that I have seen your face, that you still live [*כי עודך חי*].” The further presentation then points toward his death and burial in the land of Canaan:⁶⁴ 45:28; 46:30; 47:29–31 [; 49:33 P].⁶⁵

In addition to the theme of life and death, other threads should be mentioned that break the frame of Gen 37–45 and cannot simply be traced

64. Cf. Levin, *Der Jahwist*, 303.

65. On 47:29–31, see below n. 83. As a subtheme, the opposition of life and death also governs individual sections of the Joseph story. The fulfillment of the dreams of the royal officials in Gen 40 results in the survival of the one and the execution of the other (40:20–23); the famine requires the purchase of grain, “in order that we remain alive and do not die” (*ונחה ולא נמות*, 42:2); the bringing of Benjamin takes place in view of the alternatives “life” (*וחי*, 42:18) and “death” (*תמותו*, 42:20); at the suspicion of the stealing of the cup, the brothers request the death penalty (*ומת*, 44:9) for the guilty party; the Egyptians sell their land “so that we remain alive and do not die” (*ונחה ולא נמות*, 47:19).

back to later literary interpretations. This is first the situation that describes the speaking or lack of speaking between Joseph and his brothers.⁶⁶

Jacob's favoritism of Joseph leads immediately in the beginning to the suspension of dialogue between Joseph and his brothers (37:4: "When his brothers saw that his father loved him more than all his brothers, then they hated him and could not speak a peaceful word with him"). Levin presents the view that 45:15 ("And he kissed all his brothers and wept upon them, and afterward his brothers spoke with him") forms the functional counterpoint of this statement, and in this respect the theme of "speaking" would also establish an overarching *inclusio* in Gen 37–45.⁶⁷ However, this arc only results if one declares 45:3 secondary ("And Joseph spoke to his brothers, 'I am Joseph, does my father still live?' But his brothers could not answer him because they were fearful in his presence"), which seems rather pointless in light of 45:15. Joseph and his brothers had already spoken with one another since Gen 42; 45:15 apparently does not originally point back to 37:4 but rather to 45:3, constituting the resolution of the brothers' speechlessness before Joseph, who had revealed himself to them. The statement in 37:4 is in fact first taken up again in Gen 50 and resolved: "The famous, theologically significant concluding scene in 50:15–21 spans an arc back to 37:4: whereas the brothers did not say a peaceful word to Joseph at the beginning, at the end Joseph speaks comforting and good words with his brothers."⁶⁸

37:4	The brothers speak no peaceful words with Joseph.
45:3	The brothers fall silent.
45:15	The brothers speak with Joseph.
50:21	Joseph speaks comfortingly to his brothers.

66. On this see also Mark A. O'Brien, "The Contribution of Judah's Speech, Genesis 44:18–34, to the Characterization of Joseph," *CBQ* 59 (1997): 429–47.

67. Levin, *Der Yahwist*, 298–99.

68. Kratz, *Composition*, 276: "Die berühmte, theologisch bedeutsame Abschlussszene in 50,15–21 schlägt einen Bogen zurück nach 37,4: Während die Brüder zu Anfang mit Josef kein friedliches Wort mehr redeten, redet Josef am Ende tröstliche und gute Worte zu seinen Brüdern." On Gen 50:21 see Georg Fischer, "Die Wendung *דבר על לב* im AT: Ein Beitrag zum Verständnis von Jes 40,2," *Bib* 65 (1984): 244–50; Fischer, "Die Josefsgeschichte als Modell für Versöhnung," in *Wénin Studies in the Book of Genesis*, 258. On the literary reception of Gen 50:15–21 in Isa 40:2, see

One final point deserves mention: the actual aim of the Joseph story, the reconciliation between Joseph and his brothers, is not achieved in Gen 45—contrary to other opinions. The fact that the literary horizon of Gen 37–45 is insufficient for this is already indicated by the fact that, after 37:16, the language of “my brothers” first comes from Joseph’s mouth again in Gen 46:31.

However, the primary reason why Gen 45 cannot function as the concluding scene of reconciliation is that this scene is shaped in a completely one-sided manner. One could at most speak of a scene of forgiveness; the constitution or recognition of the resolution of the conflict from the brothers is completely absent.

This is first accomplished by Gen 50. The arc from Gen 37 first reaches its conclusion here: “The brothers again fall before Joseph, they again petition him as עבדים (see 44:16)—but now with a rather important difference: it is the first time this occurs since knowing that *Joseph* stands before them. In this conscious recognition of Joseph’s special position, the objective mapped out in chapter 37 is only now actually accomplished.”⁶⁹

Therefore, on the whole, one must admit that Gen 37–45 presents a more thoroughly structured entity than Gen 37–50. At the same time, however, it is clear that Gen 45 does not offer a sufficient conclusion to the themes introduced since Gen 37. The reason that the structure of the narrative progression in Gen 46–50 appears less clearly is, however, of a more simple nature and has already been mentioned in various ways. From Gen 46 on, the redactional insertions into the Joseph story that have nothing to do with its original form accumulate (cf. 46:*1–5; 48 [+ 41:50–52]; 49; Gen 50:22–26).⁷⁰ While such insertions are also encountered in Gen 37–45 (see esp. Gen 38),⁷¹ the narrative thread of the Joseph story remains directive

Reinhard G. Kratz, “Der Anfang des Zweiten Jesaja in Jes 40,1f. und seine literarischen Horizonte,” *ZAW* 105 (1993): 412–18.

69. Blum, *Die Komposition der Vätergeschichte*, 241, emphasis original; see also Carr, *Fractures*, 275: “Only at the climactic end of the Joseph story do they [the brothers] express subservience to him again. This, then, is the first and only time they knowingly subject themselves to him and offer themselves as his slaves (Gen. 50:15–17a).”

70. See most recently (though with the overly simplistic undifferentiated literary attribution to D) Hans Ausloos, “The Deuteronomist and the Account of Joseph’s Death (Gen 50,22–26),” in Wénin, *Studies in the Book of Genesis*, 381–95.

71. On this see Römer, “La narration,” 20 n. 14 (see further Jan P. Fokkeman, “Genesis 37 and 38 at the Interface of Structural Analysis and Hermeneutics,” in *Literary Structure and Rhetorical Strategies in the Hebrew Bible*, ed. Lénart J. de Regt [Assen:

and quantitatively dominant in the depiction. This changes beginning in Gen 46. Indicative of this may be the fact that after 37:*1–2 (disregarding perhaps the notice of 41:46a), P portions first can be verified once again.⁷² However, one cannot get around the fact that at least in Gen 46–47 + 50, there are portions that should be attributed to the original text.

The following, though merely preliminary considerations on this can be offered. If one begins at the end, then in Gen 50 initially 50:22–26 and 50:12–13 should be excluded: 50:22–26 contains redactional material that serves the further connection of the Joseph story or rather Genesis as a whole to the larger context,⁷³ while 50:12–13 should be attributed to P. What remains is 50:1–11, 14, 15–21. Genesis 50:14 drops out of this sequence: It must be striking that the conclusion of the Joseph story reports of the relocation of the entire tribe of Jacob to Canaan (50:7–13)—the entire eisodus theme of Gen 37–50 is thereby rewritten in Gen 50:7–13. Contrary to the usual scholarly discussion,⁷⁴ it is by no means certain that the site “Goren Ha’atad/Abel Mizraim” אַבֶּל מִצְרַיִם/גֹּרֶן הָאֵטָד (50:10–11), which is described

Van Gorcum; Winona Lake, IN: Eisenbrauns, 1996], 152–87; Aaron Wildavsky, “Survival Must Not Be Gained through Sin: The Moral of the Joseph Stories Prefigured through Judah and Tamar,” *JSOT* 62 [1994]: 37–48; Hans-Christoph Schmitt, “Die Josephsgeschichte und das deuteronomistische Geschichtswerk: Genesis 38 und 48–50,” in *Theologie in Prophetie und Pentateuch: Gesammelte Schriften*, BZAW 310 (Berlin: de Gruyter, 2001), 295–308; Antony J. Lambe, “Judah’s Development: The Pattern of Departure-Transition-Return,” *JSOT* 83 [1999]: 53–68; Fischer, “Die Josefs-geschichte,” 245–46).

72. On P in Gen 37–50, see above nn. 39–42.

73. Gen 50:24 opens a Pentateuch-wide line of pronouncements of the promise of the land on oath to the three ancestors (Exod 32:13; 33:1; Num 32:11; Deut 34:4; cf. Lev 26:42); Gen 50:25 looks ahead via Exod 13:19 to Josh 24:32 and serves other interests (cf. Schmid, *Genesis and the Moses Story*, 54–55; differently Gertz, *Tradition und Redaktion*, 360–61; Otto, *Das Deuteronomium im Pentateuch*, 219–21).

74. See, e.g., Rüdiger Bartelmus, “Topographie und Theologie: Exegetische und didaktische Anmerkungen zum letzten Kapitel der Genesis (Gen 50,1–14),” *BN* 29 (1985): 35–57. See also the unnecessarily complicated discussion in Schmitt, *Josephsgeschichte*, 128–29, who proposes that the “current context [characterizes] the location of Goren-Atad as Transjordanian” (“jetzige Kontext die Lage von Goren-Atad als ostjordanisch”). Westermann (*Genesis 37–50*, 227–28) opines, “across the Jordan” in 50:10a presupposes a location in the Transjordan, while the designation of the inhabitants of the land in 50:11 as “Canaanites” points to the Cisjordan. On the problem see also Berend Gemser, “*Be’eber Hajjarden*: In Jordan’s Borderland,” *VT* 2 (1952): 349–55; Aaron Demsky, “The Route of Jacob’s Funeral Cortege and the Problem of ‘*Eber Hayjarden* (Genesis 50.10–11),” in *Minha le-Nahum: Biblical and Other Studies Presented*

as בעבר הירדן, is in the Transjordan and not the Cisjordan. “across the Jordan” can designate the Cisjordan as well—seen from the east, as attested in Num 32:19;⁷⁵ Deut 3:20, 25; and Josh 9:1. This arises from the present context, especially from 50:5. Jacob is buried in the land of Canaan, which in no way contradicts 50:10–11. In addition, a burial outside the home country would not motivate the effort to transfer the corpse (unless one would postulate a Transjordan burial place for Jacob by means of tradition criticism).

By means of a single verse, 50:14, the ancestors of the nation of Israel are brought back to Egypt, which then according to the readerly sequence arises in Exod 1:7. The final decisive eisodus to Egypt in the Joseph story is limited to this single verse,⁷⁶ and it therefore suggests designating it as a redactional addition, though not only for this reason. In addition, the transition from 50:14 to 50:15 is uneven in terms of the content.⁷⁷ In contrast to the LXX, the present text crudely smooths it out by means of the half verse 50:14b (אחר קברו את אביו).⁷⁸ The forced, likewise appended motivation in 50:8b also points to the compositionally secondary nature of the return to Egypt in 50:14.⁷⁹ While 50:8a speaks explicitly of the departure of “Joseph’s *whole* house and his brothers and the house of his father,” 50:8b instead intends for the small children and cattle (טפם וצאנם ובקרים)

to Nahum M. Sarna in *Honour of His Seventieth Birthday*, ed. Marc Z. Brettler and Michael Fishbane, JSOTSup 154 (Sheffield: JSOT Press, 1993), 54–64.

75. Cf. the terminological contrast there between מעבר לירדן “Transjordan” and מעבר הירדן “Cisjordan.”

76. The exact opposite conclusion is reached by Levin, *Der Jahwist*, 308: “It is important that Joseph, after he fulfills his duty as son, immediately returns (v. 14*). The relocation to Egypt should not be frustrated by the necessary excursion” (“Wichtig ist, dass Josef, nachdem er seiner Sohnespflicht genügt hat, umgehend zurückkehrt (V.14*). Die Übersiedlung nach Ägypten soll durch den notwendigen Exkurs nicht durchkreuzt werden”).

77. See Redford, *Study*, 31.

78. The observation by Schweizer (“Josefsgeschichte,” 388)—“50:15: ‘the brothers saw that their father was dead’—in this they only have just come back from the extended festivities of the burial celebration!” (“50,15: es ‘sahen die Brüder, dass ihr Vater tot war’—dabei kommen sie soeben von den ausgedehnten Begräbnisfeierlichkeiten zurück!”)—cannot be understood to suggest that the burial scene in Canaan is secondary because it was carefully arranged in the preceding text. Instead, 50:15 relies directly on 50:13; a smoother text results without 50:15.

79. One can therefore also leave out 50:7b; on 50:5 see Schmid, *Genesis and the Moses Story*, 53 n. 21.

to remain in Egypt. The reason for this is clear: the return of the tribe of Jacob should be ensured in order to establish a functional bridge to the introduction of the book of Exodus.

If 50:14 does not belong to the basic text of Gen 50, then this means that the Joseph story appears originally to have ended in Canaan.⁸⁰ Without the information in 50:14, the concluding scene in 50:15–21 also takes place there,⁸¹ while the subsequent verses of 50:22–26 as a whole should be recognized as overarching redactional editing whose horizon in part extends even beyond the Pentateuch.⁸²

In the previous context, 50:1–21 originally may have directly linked only on material reported in the limited non-Priestly (“and Israel turned himself to the head of the bed”)⁸³ death of Jacob in 47:(*)29–31. Before this there must have been at least a report on the settling of Jacob and his sons in Egypt in 47:5, 6a, 11–12 as well as the reunion scene in 46:(28,) 29–30 and the note on Jacob’s travel to Egypt in 46:1aα, 5b.⁸⁴

In the sphere of Gen 46–47 + 50, the basis here described as the textual minimum for the narrative progression of the original Joseph story is therefore found in 46:1aα, 5b, (28) 29–30; 47:5, 6a, 11–12, (*)29–31; 50:*1–8a, 9–11, 15–21.

The determination of the narrative foundation in the previous section of Gen 37–45 cannot be pursued here in detail. The following indications must suffice: In Gen 37–45, especially the often discussed Reuben/Judah problem,⁸⁵ as well as the Ishmaelite/Midianite problem require compo-

80. The motif of the transport of Joseph’s bones to Canaan beginning in Gen 50:24–25 (cf. Exod 13:19; Josh 24:32), which has a hexateuchal horizon, also provides a further indication for the proposal of an original end of the Joseph story in the land itself. Joseph’s bones traditionally belong to Canaan (cf. Joachim Jeremias, *Heiligengräber in Jesu Umwelt* [Mt. 23,39; Lk. 11,47]: *Eine Untersuchung zur Volksreligion der Zeit Jesu* [Göttingen: Vandenhoeck & Ruprecht, 1958], 31–36; Uehlinger, “Fratricie,” 324), which speaks in favor of the fact that the Joseph story had its conclusion in Canaan, which explains that the shift of the end of the Joseph story to Egypt (50:14) means that the question of the interment of Joseph’s bones required clarification.

81. See Blum, *Die Komposition der Vätergeschichte*, 255.

82. See Schmid, *Genesis and the Moses Story*, 214–16.

83. See Levin, *Der Jahwist*, 307–8; Kratz, *Composition*, 274; cf. also Seebass, *Genesis III*, 151; Jacob, *Genesis*, 863–64; de Hoop, *Genesis* 49, 328–32, 460–64.

84. See also Van Seters, *Prologue*, 317–18; Levin, *Der Jahwist*, 301, 307; Römer, “La narration,” 20.

85. See the discussion by Samuel E. Loewenstamm, “Reuben and Judah in the

sition-critical explanation.⁸⁶ In both cases the solutions emerge more unambiguously than the complicated scholarly discussion might surmise. With regard to the Reuben/Judah question, it is clear that, unlike the Judah passages (37:26–27; [38:] 43:8–10; 44:14–34; cf. further 46:12, 28; 49:8–10), the Reuben passages (37:21–22.; 42:22, 37–38; cf. further 46:9; 48:5; 49:3–4) do not have a weight-bearing function and should therefore be judged secondary.⁸⁷ Judah's guarantee as well as his speech in 44:18–34, on the other hand, are indispensable for the progress of the narrative. They show, through Judah's example, the brothers' change. The speech therefore functions as a triggering moment for the scene of recognition in Gen 45. The Reuben texts arise on the basis of later interest in order to exonerate the brothers as a whole through the positive sketch of the firstborn.

Also with regard to the change between the Midianites and Ishmaelites in Gen 37 (39:1), one can establish, as often suggested, that יַעֲבֹרִי וְאִשְׁמָאֵלִיתִים in 37:28 as well as all of 37:36 is an addition. Therefore, one can recognize the reconstruction of a coherent base text from the mentions of the Ishmaelites, in contrast to the Midianites/Medanites, who are secondary. They probably entered into the text so that it was not the brothers in 37:28 who sell Joseph to the Ishmaelites going to Egypt (cf. the elliptical formation in 45:5), in which case the brothers would have

Cycle of Joseph Stories,” in *From Babylon to Canaan: Studies in the Bible and Its Oriental Background* (Jerusalem: Magnes, 1992), 35–41; Donner, *Josephsgeschichte*, 37–39; Hugh C. White, “Reuben and Judah: Duplicates or Complements?,” in *Understanding the Word: Essays in Honor of Bernhard W. Anderson*, ed. James T. Butler, Edgar W. Conrad, and Ben C. Ollenburger, JSOTSup 37 (Sheffield: JSOT Press, 1985), 73–97.

86. See Donner, *Josephsgeschichte*, 17 n. 26; 44–45; Blum, *Die Komposition der Vätergeschichte*, 233–34, 244–45 (in reliance on Rainer Kessler, “Die Querverweise im Pentateuch: Überlieferungsgeschichtliche Untersuchung der expliziten Querverbindungen innerhalb des vorpriesterlichen Pentateuchs,” [PhD diss., University of Heidelberg, 1972], 150); differently Moshé Anbar, “Changement de noms des tribus nomades dans la relation d’une même événement,” *Bib* 49 (1968): 221–32; cf. as well on the problem Ernst Axel Knauf, “Midianites and Ishmaelites,” in *Midian, Moab and Edom: The History and Archaeology of Late Bronze and Iron Age Jordan and North-West Arabia*, ed. John F. A. Sawyer and David J. A. Clines, JSOTSup 24 (Sheffield: JSOT Press, 1983), 147–62; Robert E. Longacre, “Who Sold Joseph into Egypt?,” in *Interpretation and History: Essays in Honour of Allan A. MacRae*, ed. R. Laird Harris, Swee-Hwa Quek, and J Robert Vannoy (Singapore: Christian Life, 1986), 75–91. Further literature in J. Gordan Wenham, *Genesis 16–50*, WBC 2 (Dallas: Word, 1994), 346.

87. Correctly here esp. Schmitt, *Josephsgeschichte*; Kratz, *Composition*, 275.

committed a crime worthy of capital punishment (cf. Exod 21:16), but in this case it was instead foreign merchants. The Midianites, something of a “literary passe-partout,”⁸⁸ offer themselves on the basis of their kinship with the Ishmaelites (see Judg 8:24).

Further observations can, on closer view, be explained not by means of composition-critical arguments but rather through the narrative sequence or literary style without anything further.⁸⁹ Examples include the fact that Joseph’s father could be called either “Jacob” or “Israel.” Another is that the second trip to Egypt in Gen 43 is not triggered by the hostage holding of Simeon (42:18–25), but rather by the sustained famine. Furthermore is the fact that the silver secretly returned by Joseph was found in the top of the sack on the trip (42:27), while on the other it appears after the return home during the emptying of the sacks (42:35). Also, Joseph’s question whether his father is still alive (45:3) seems surprising after 43:28 and 44:20.⁹⁰ Or finally, there are certain variations in linguistic usage (e.g., בית הסהר/משמר; מלך מצרים/פרעה; שק/אמתחת).

The (minimally defined) textual basis of the Joseph story is, therefore, probably to be found circumscribed in the following texts—without detailed demarcations in Gen 39–45: 37:3–20, 23–27, *28 (without יעברו), 31–35; 39:1–45:28; 46:1a, 5b, (28,) 29–30; 47:5, 6a, 11–12(*)29–31; 50:*1–8a, 9–11, 15–21.

18.2.3. Post-Priestly Formation of the Joseph Story?

The dating of the Joseph story has proved extraordinarily controversial in twentieth-century scholarship, not in the least given its unresolved compositional problems. Even the inquiry into the presupposed image of Egypt that was conceived as clarification provided a more diffuse picture.⁹¹ The positions on the historical location of its formation stretch from the

88. Ernst Axel Knauf, “Midian und Midianiter,” *NBL* 10:802.

89. See on this, e.g., Schmidt, *Josephsgeschichte*, 133–38.

90. Rudolph, “Die Josefsgeschichte,” 163.

91. Cf. Dietrich, *Josephsgeschichte*, 60–61, 68–69; Humphreys, *Joseph*, 154–75; Schmitt, *Josephsgeschichte*, 133–49; Redford, *Study*, 189–243; Soggin, “Notes,” 342–43; Jozef Vergote, *Joseph en Égypte: Genèse chap. 37–50 à la lumière des études égyptologiques récentes*, OLA 3 (Leuven, Leuven University Press, 1959); on this see Siegfried Morenz, “Joseph in Ägypten,” *TLZ* 84 (1959): 401–16; Siegfried Herrmann, “Joseph in Ägypten,” *TLZ* 85 (1960): 827–30.

tenth century BCE to the third century BCE, that is, from the beginnings to the conclusion of Hebrew Bible literary production. This range can even be extended several centuries when one includes the extremely early and late datings by Jozef Vergote (thirteenth century BCE) and Bernd Diebner (second/first century BCE).⁹²

The usual placement in the wake of the Documentary Hypothesis in the Solomonic period has found many adherents,⁹³ though it should be abandoned today. Two essential arguments were brought forward for this Solomonic date. The first was that the canonically understood theoretical framework of a Yahwistic historical work dated to this time was decisive: If J belongs to the Solomonic period, then naturally the Joseph story that belongs to it, which underwent its first written version as part of J, does as well. The second is that the wisdom shape of the Joseph story worked out by von Rad seemed to support this date, for it fit with the conception of a Solomonic enlightenment.

A series of arguments, however, speaks against such an early placement of even just the basic inventory of the Joseph story, so one should maintain distance from this theory. For one thing, general considerations on the requirements for the possibility of literary production in ancient Israel render it improbable that literary works of anything close to the Joseph story could emerge in the tenth century.⁹⁴ Developed textuality that allows for the recording of annalistic, economic, or cultic texts essentially depends on statehood, and there are no archaeological indications that would allow one to speak of a state for Israel prior to the ninth and for Judah prior to the eighth century.⁹⁵

92. Vergote, *Joseph en Égypte*; Bernd Jörg Diebner, "Le roman de Joseph, ou Israël en Égypte: Un midrash post-exilique de la Tora," in Abel and Smyth, *Le livre de traverse*, 55–71.

93. See von Rad, *Genesis*; von Rad, "Die Josephsgeschichte"; Ruppert, *Die Josephserzählung*, 208–35; Steck, *Die Paradieserzählung*, 121–24 n. 291; Coats, *From Canaan*; Donner, *Josephsgeschichte*, 24; Willi-Plein, "Historiographische Aspekte"; Schmitt, *Josephsgeschichte*, 162–63; Westermann, *Genesis 37–50*, 18; Schmidt, *Josephsgeschichte*, 127–297; Humphreys, *Joseph*, 199; Boecker, "Überlegungen zur Josephsgeschichte," 41–42.

94. For an overview see Konrad Schmid, *Buchgestalten des Jeremiabuches: Untersuchungen zur Redaktions- und Rezeptionsgeschichte von Jer 30–33 im Kontext des Buches*, WMANT 72 (Neukirchener-Vluyn: Neukirchener Verlag, 1996), 35–43.

95. See David W. Jamieson-Drake, *Scribes and Schools in Monarchic Judah: A Socio-archaeological Approach*, JSOTSup 109 (Sheffield: Almond Press, 1991); Her-

Parallel to this evidence is the inventory of preserved inscriptions from ancient Israel that increased significantly from the middle of the eighth century on.⁹⁶ Therefore, these foundational considerations already dissuade from the classic dating of the earliest written Joseph story to the Solomonic period.

Furthermore, the hypothesis of a Yahwistic historical work both with regard to its placement in the Solomonic epoch as well as its literary cohesion beyond the book of Genesis,⁹⁷ in which it was developed, has also become so brittle that it can no longer serve as a presupposition for penta-teuchal scholarship, but could at most be a result.

Finally, the wisdom shape itself of specific passages of the Joseph story, if one acknowledges them, presupposes not the intellectual context of earlier wisdom but rather a much more advanced reflexivity.⁹⁸ As a result, the

mann Michael Niemann, "Kein Ende des Büchermachens in Israel und Juda (Koh 12,12): Wann begann es?" *BK* 53 (1998): 127–34. For a (critical) discussion concerning the problem of literacy and the placements advocated above, see de Hoop, *Genesis* 49, 444–49 and n. 440; Alan R. Millard, "An Assessment of the Evidence for Writing in Ancient Israel," in *Biblical Archaeology Today: Proceedings of the International Congress on Biblical Archaeology, Jerusalem April 1984*, ed. Janet Amitai (Jerusalem: Israel Exploration Society, 1985), 301–12; Millard, "The Knowledge of Writing in Iron Age Palestine," *TynBul* 46 (1995): 207–17. Critical of the distinction "chiefdom"/"state" is William G. Dever, *What Did the Biblical Writers Know and When Did They Know It: What Archaeology Can Tell Us about the Reality of Ancient Israel* (Grand Rapids: Eerdmans, 2001), 127–28 (for bibliography see 127–28 nn. 36–38), with the possibility of a "tribal state" (following Philip Shukry Khoury and Joseph Kostiner, *Tribes and State Formation in the Middle East* [London: I. B. Tauris, 1990]), whose possibilities for literary production are, however, of a limited nature.

96. Tenth century: 4 inscriptions ; ninth century: 18; first half of the eighth century: 16; second half of the eighth century: 129; first half of the seventh century: 50; second half of the seventh century: 52; beginning of the sixth century: 65 (see Niemann, "Kein Ende").

97. See first of all the works by de Pury, "Le cycle de Jacob," 78–96; de Pury, "Osée 12 et ses implications pour le débat actuel sur le Pentateuque," in *Le Pentateuque: Débats et recherches*, ed. Pierre Haudebert, LD 151 (Paris: Cerf, 1992), 175–207; de Pury, "Le choix de l'ancêtre," *TZ* 57 (2001): 105–14; as well as the contributions in Gertz, Schmid, and Witte, *Abschied vom Jahwisten*.

98. See von Rad, "The Joseph Narrative and Ancient Wisdom," 292–300; von Rad, "Die Josephsgeschichte," 22–41; Müller, "Lehrerzählung," 22–43; Westermann, *Genesis 37–50*, 282–83; critical: Crenshaw, "Method"; Redford, *Study*; Coats, "Joseph Story"; Otto, "Die 'synthetische Lebensauffassung.'" See the discussion in Blum, *Die Komposition der Vätergeschichte*, 238–39 and n. 30. See Fox, "Wisdom."

Solomonic period must be eliminated, but one may still discuss whether a monarchic location should still be considered for the Joseph story.

In the wake of his explanation of the ancestral story without the source model two hundred years later,⁹⁹ Blum in particular has suggested that the determination of the formational background of the Joseph story centers on the interpretation of the “extraordinarily exposed placement of *Joseph* among his brothers.” It indicates “that one must contemplate as a first possibility the formation of the Joseph narrative within the Joseph tribes.”¹⁰⁰ The declaration by the brothers in Gen 37:8, “Will you perhaps be king over us or rule over us?” shows that it concerns “Joseph’s kingdom in Israel.”¹⁰¹ In terms of historical placement, there are plenty of situations during the monarchic period when Judah stood “in the shadow of dominant Israel,” such as the time of the Omrides ([Omri, Ahab, Ahaziah, and Joram 882/878–841?] 1 Kgs 22; 2 Kgs 3; and Jehu [841–814/3?] 2 Kgs 9:27; 10:13–14), under Joash (802–787; 2 Kgs 14:8–14), as well as under his son Jeroboam II (787–747 BCE).¹⁰²

In terms of the emphasis on the theme of hegemony in the Joseph story, Blum’s interpretation follows Crüsemann.¹⁰³ His interpretation is, however, problematic because the theme of hegemony is not addressed internal to Israel, but rather within the framework of a foreign setting. Joseph is not king of Israel, but the second most powerful man in Egypt. Despite the correctness of Israel’s wide-ranging dominance over Judah during the his-

99. But see already Julius Wellhausen, *Prolegomena zur Geschichte Israels*, 6th ed. (Berlin: Reimer, 1905), 321; and on this Jürgen Ebach, “Josephsgeschichte,” *LÄ* 3:272.

100. Blum, *Die Komposition der Vätergeschichte*, 239: “aussergewöhnlich exponierte Stellung *Josephs* unter seinen Brüdern” and “dass man als erste Möglichkeit die Ausbildung der Josephserzählung innerhalb der Josephstämme wird erwägen müssen.”

101. Blum, *Die Komposition der Vätergeschichte*, 240: “um *Josephs* Königtum in Israel.” See also 243–44: “In the shaping of Israel’s eisode to Egypt into a novella-like narrative, it links ‘narrative’ wisdom theology with a self-presentation of the ‘Josephite’ kingdom with its magnitude and supremacy in ‘Israel’ (in a global sense)” (“In der Ausgestaltung des Eisodos Israels nach Ägypten zu einer novellistischen Erzählung verbindet sie ‘narrative’ weisheitliche Theologie mit einer Selbstdarstellung des ‘josephitischen’ Königtums in seiner Grösse und Vormachtstellung in ‘Israel’ [im umfassenden Sinne]”).

102. Blum, *Die Komposition der Vätergeschichte*, 240: “im Schatten des dominierenden Israel.”

103. Crüsemann, *Der Widerstand*, 143–55.

torical situation of the parallel tandem of the still existent kingdoms of Israel and Judah, in my opinion this cannot explain the Joseph story.

Dietrich proposes a similar, though even somewhat earlier date for his Joseph novella of Gen *37–45.¹⁰⁴ For Dietrich as well, the first written version of the Joseph story relates to the Northern Kingdom. However, he puts the contacts with Egypt and the positive depiction of Egypt in the foreground, which would not be conceivable after the establishment of the Neo-Assyrian hegemony over Syria-Palestine. Of contemporary historical interest for the Joseph story would especially be Jeroboam I (927–907), who comes from Ephraim, therefore belonging to “Joseph,” fleeing to Egypt (1 Kgs 11:26, 28, 40).¹⁰⁵ Jeroboam resided there with Sheshonq I and was then called to head the northern tribes, and with his approval, Shoshenq I went out against Jerusalem in Rehoboam’s fifth year (1 Kgs 14:25–26). The prominent figure of Benjamin, whose territory was hotly contested at the time of the division of the kingdom, seem to point to the same period. “It would surely be erroneous to attempt to interpret the Joseph novella step by step as a political allegory. However, the analogies between the fiction and the history of that time are so astonishing that they could hardly have taken place coincidentally.”¹⁰⁶

However, whether Sheshonq I was truly pro-Israelite and anti-Judahite, as Dietrich thinks, is quite questionable. A judgment rests upon the historical evaluation of the Sheshonq list on the Bubastide Gate in Karnak, which, contrary to the information in the Hebrew Bible, does not mention any destruction or plundering of Jerusalem but instead of Tirzah, Sukkot, and Penuel.¹⁰⁷ Further, the Sheshonq stela from Megiddo serves as a victory stela to document the conquest of Megiddo.¹⁰⁸

104. Dietrich, *Josephserzählung*, 53–66.

105. See also, yet more cautiously, Lux, *Josef*, 226–27.

106. Dietrich, *Die Josephserzählung*, 64: “Sicher wäre es verfehlt, die Josephs-Novelle Zug um Zug als eine politische Allegorie deuten zu wollen. Aber die Analogien zwischen der Dichtung und der Geschichte jener Zeit sind doch so verblüffend, dass sie schwerlich als zufällig abgetan werden können.”

107. On the historical reliability, see on the one side Manfred Görg, *Die Beziehungen zwischen dem Alten Israel und Ägypten: Von den Anfängen bis zum Exil*, EdF 290 (Darmstadt: Wissenschaftliche Buchgesellschaft, 1997), 90–91, on the other Bernd U. Schipper, *Israel und Ägypten in der Königszeit: Die kulturellen Kontakte von Salomo bis zum Fall Jerusalems*, OBO 170 (Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 1999), 125–29.

108. See Schipper, *Israel und Ägypten*, 129–32.

Donald Redford and Arndt Meinhold already suggested in the 1970s interpreting the Joseph story, on analogy with the book of Esther and the Daniel legends,¹⁰⁹ as a diaspora novella, which would suggest a historical placement in the Persian period. In the meantime, other interpreters have followed them, in part even with considerably later dates in the Hellenistic, or even in the Roman period.¹¹⁰

As unquestionably clear as the diaspora theme in the Joseph story is, the proposal that the earliest roots lie in the Persian period is correspondingly difficult. Most mentionable is the choice of the northern Israelite protagonist Joseph, which becomes increasingly difficult to explain when distance from the monarchic period grows.¹¹¹ While the book of Tobit also chooses a northern Israelite main character, this book concerns a literary work of a quite different legendary shape.

Furthermore, one can cite internal Hebrew Bible references to the Joseph story that should be dated before the Persian period. While explicit references to the Joseph story appear rarely within the Hebrew Bible (see

109. See also Susan Niditch and Robert Doran, "The Success Story of the Wise Courtier: A Formal Approach," *JBL* 96 (1977): 179–93; Robert Gnuse, "The Jewish Dream Interpreter in a Foreign Court: The Recurring Use of a Theme in Jewish Literature," *JSP* 7 (1990): 29–53; G. G. Labonté, "Genèse 41 et Daniel 2: Quesiton d'origine," in *The Book of Daniel in the Light of New Findings*, ed. Adam S. van der Woude, BETL 106 (Leuven: Leuven University Press; Peeters, 1993), 271–84; Klara Butting, "The Book of Esther: A Reinterpretation of the Story of Josef [sic]; Innerbiblical Critique as a Guide for Feminist Hermeneutics," *ACEBT* 13 (1994): 81–87; Lawrence M. Wills, *The Jewish Novel in the Ancient World* (Ithaca, NY: Cornell University Press, 1995); Harald M. Wahl, "Das Motiv des 'Aufstiegs' in der Hofgeschichte: Am Beispiel von Joseph, Esther und Daniel," *ZAW* 112 (2000): 59–74; Stefan Beyerle, "Joseph und Daniel: Zwei 'Väter' am Hofe eines fremden Königs," in *Verbindungslinien: Festschrift für Werner H. Schmidt zum 65. Geburtstag*, ed. Axel Graupner and Lutz Aupperle (Neukirchen-Vluyn: Neukirchener Verlag, 2000), 1–18.

110. E.g., Römer, "Joseph approche," 73–85; Römer, "La narration"; Macchi, *Israël*, 126–28; Schweizer, "Josefsgeschichte," 388–89. For the Hellenistic period, see Soggin, *Genesis*, 435–36 (cf. Soggin, "Notes"); Alessandro Catastini, "Le testimonianze di Manetone e la 'Storia di Giuseppe' (Genesis 37–50)," *Hen* 17 (1995): 279–300; Catastini, "Ancora sulla datazione della 'Storia di Giuseppe' (Genesis 37–50)," *Hen* 20 (1998): 208–24; contrary Paolo Sacchi, "Il problema della datazione della storia di Giuseppe (Gen 37–50)," *Hen* 18 (1996): 357–64. For the Roman periods, see Diebner, "Le roman de Joseph."

111. Römer, "La narration," 25 n. 42 has in mind the literary motif of the younger/youngest brother as well as the north Israelite origins of Egyptian Judaism.

esp. Ps 105), the Joseph story is certainly referred to implicitly. Worthy of mention are the reception of Gen 50:(15–)21 in Isa 40:2 and the treatment of Gen 37:34–35 in Isa 31:15, as well as of Gen 50:24 in Jer 29:10.¹¹² The late Babylonian and early Persian prophets of the Hebrew Bible were, therefore, already familiar with the Joseph story.

Finally, another reason against placing the Joseph story first post-Priestly is that one could then no longer explain why the bridge between the ancestors and exodus was not adjusted without tension (which obviously is not the case), for since P and especially since the combination of P with the non-Priestly narrative works of *Genesis and *Exodus (and following), the connection between the ancestors and exodus was established on a literary level.

How should one evaluate these discussions now in view of the dating of the Joseph story? The basically incontestable observation that the Joseph story concerns a diaspora novella provides one cornerstone. It takes place in a foreign land; the Israelite protagonist advances in a foreign court—a Joseph story without this setting would not be the Joseph story, and such a composition-critical reconstruction would be destined for failure from the outset. Historically speaking it is hardly conceivable that this constellation of motifs could be literarily effective as long as no Israelites were in the diaspora. Converting this into the question of a *terminus a quo*, the Joseph story presupposes at least the demise of the Northern Kingdom in 722 BCE. This *terminus a quo* also results because the choice of the Joseph character points to the northern tribes. This remains the case in the face of all justified critique of the maintenance of an interpretation of the Joseph story as the history of the tribes. In addition, while the origins of the Egyptian diaspora remain shrouded in darkness, the documents from Elephantine provide a good basis for the proposal that they were clearly pre-Persian and perhaps originally due to refugees or even voluntary migration from the Northern Kingdom.¹¹³ Egyptian Judaism then certainly received a

112. On Ps 105, see Lux, *Josef*, 249–50; Schmid, *Genesis and the Moses Story*, 290–92; Römer, “La narration,” 23; Humphreys, *Joseph*, 208–9. On Isa 40:2, see Kratz, “Der Anfang.” On Isa 31:15, see Schmid, *Buchgestalten*, 133–35. On Jer 29:10, see Schmid, *Buchgestalten*, 227–28.

113. On the problem, see Abraham Malamat, “Exile, Assyrian,” *EncJud* 6:1034–36; Görg, *Die Beziehungen*, 104–12; Matthias Köckert, “Samaria,” *TRE* 29:744–50; Rainer Albertz, *Israel in Exile: The History and Literature of the Sixth Century B.C.E.*,

further influx through refugees in the course of the Neo-Babylonian destruction of Jerusalem (cf. esp. Jer 37–44), but these migratory movements were not its beginning.

The other cornerstone results from the fact that there are evidently sufficient indications to reckon with a still pre- or at least early Persian drafting of the first form of a Joseph story. This is especially demonstrated by the cited innerbiblical references as well as the fact that the non-Priestly Joseph story was not fit seamlessly into the P transition between ancestors and exodus.

It remains to be seen whether considerations on the conceptual shape of the Joseph story can lead to a still well-defined placement within these key points.

18.3. The Conceptual Shape of the Joseph Story

Why was the Joseph story composed? Where are the intentions of its message tangible? In this question the path is to be found between the Scylla of the ahistorical standpoint on one hand, which moves toward judging the Joseph story as a completely fictive novella, and the Charybdis of historical allegorizing, which interprets the individual moves of the Joseph story as direct deposits of corresponding historical processes.¹¹⁴

From a conceptual point of view, one should first consider the central theme: division and reconciliation. If the choice of the Joseph figure as protagonist of the narrative in connection with the theme of Egypt points in the direction of the Northern Kingdom,¹¹⁵ then the Joseph story, which narrates not only about Joseph alone, but about Joseph and his brothers and their father, initially voices a whole Israel perspective. Joseph and his brothers do in fact belong together (not only on the basis of their shared fate of exile), and, if one follows the point of view suggested for Gen 50, with the end goal of life in their own land. The reciprocal reconciliation between Joseph and his brothers takes place in the moment when the relationship of the sons to the father comes to an end after his death. Their

trans. David Green, *Biblical Encyclopedia* 7 (Atlanta: Society of Biblical Literature, 2003), 98–99.

114. See also Uehlinger, “Fratricide,” 317.

115. See Kratz, *Composition*, 274–79; Dany Nocquet, “Genèse 37 et l’épreuve d’Israël: L’intention du cycle de Joseph,” *ETR* 77 (2002): 13–35.

solidarity must be newly defined. Joseph and his brothers must form, to put it another way, a deliberate rather than a genealogical unity.

Whether this takes place with a view toward Joseph as hegemonic (Gen 37:8)¹¹⁶ remains unclear, even rather improbable. The Joseph story limits Joseph's rule to the stay in Egypt, and the narrative in Gen 50 points clearly toward a theocratic ideal.

On the basis of this whole Israelite orientation, on the one hand, and the theocratic ideal, on the other, the dating question should be reconsidered. Both point toward a postmonarchic development. It appears that in the Joseph story, the problem of the unity of Israel (after 720 BCE) that led to the formation of the ancestral story anchored in the ancestral figures in Gen 12–36 became acute once again. The Joseph story attempts to establish Israel's unity as—in anachronistic terms—a nation created by choice.

The literary horizon of the Joseph story and its redactions provide more precise information about its conceptual orientation. As it appears, the Joseph story was not written without an eye toward the Former Prophets.¹¹⁷ This is the case for individual features, but also for its theme of sovereignty that especially Crüsemann has identified.¹¹⁸ In this regard the Joseph story apparently does not opt for Israel's sovereignty as an independent kingdom, but also considers Israel's existence under foreign hegemony as a possible form for life in which Israelites could even rise to high administrative positions.

In some sense, then, the Joseph story sets a theocratic counterweight to the monarchic constitution of Israel since Saul, Israel, and Solomon. The fact that the counterweight is positioned before the liberating events of the exodus definitely serves a functional point. It reasons from the Joseph story that neither the first nor any other exodus is absolutely necessary in theological terms.¹¹⁹ Life in one's own land is naturally the ideal goal that one strives for, but it is not to be seen as a *conditio sine qua non*.

116. On this see esp. Blum, *Die Komposition der Vätergeschichte*, 240–41.

117. See on this Dietrich, *Die Josephserzählung*, 72–75; Jacob, *Genesis*, 1048–49.

118. Dietrich (*Die Josephserzählung*, 72–75) mentions the parallels between the narrative of Amnon and Tamar in 2 Sam 13 and Gen 39 (cf. also כְּתָנָה פָּסִים Gen 37:3, 23, 32; 2 Sam 13:18–19), the similar descriptions of Joseph and David (“handsome” Gen 39:2, 6, 21; 1 Sam 16:12, 18; 18:14, 28) or Solomon (“wise” Gen 41:33, 39; 1 Kgs 3:12).

119. On the exodus critique of the Joseph story see also Kratz, *Composition*, 279.

These considerations again cast yet a different light on the Egypt theme of the Joseph story. It likely does not connect historically with the Egyptian portion of the diaspora from the Northern Kingdom but rather with yet another critical reception of the exodus tradition:¹²⁰ Egypt is not simply an enemy land in which survival is impossible and exodus constitutes the only option. Egypt in Gen 37–50 is instead presented as a temporary space for life in any case, which in this very regard can be set in opposition to their own land, where survival is threatened on account of the famine. Yes, as the wedding between Joseph and Aseneth demonstrates, even a mixed marriage with a pagan foreign woman is permitted.

If one tries to summarize it boldly, then one might even say that the Joseph story is an anti-Deuteronomistic History that advocates for the very things that the Deuteronomistically edited Former Prophets consider abominable. The perspective of the conceptual considerations of the Joseph story also suggests reckoning with a fundamental literary separation between Genesis and Exodus (together with the subsequent Deuteronomistic books as far as 2 Kings).

Therefore, the Joseph story was neither formed from the beginning as a bridge between the ancestors and the exodus nor simply as a literary supplementation of the ancestral story. It initially constituted an entity on its own that subsequently became increasingly connected to the growing Pentateuch. How can one describe these redactional connections in more detail? Expansive investigations would be necessary to answer this question, but they can be reconstructed as two successive redactional processes that will be sketched briefly here: (1) the connection of the Joseph story to the ancestral story and (2) the arrangement of the Joseph story that had been attached to the ancestral story as the bridge to the exodus account.

(1) The Joseph story attaches to a still-independent ancestral story that reached at least as far as Gen 35. Contrary to Blum's proposal (following Hermann Gunkel) of seeing the "finale of the Jacob narrative" in Gen 32–33,¹²¹ which ends with the notice concerning Jacob settling

120. Cf. Römer, "Joseph approche," 85; Römer, "La narration," 24–27; Kratz, *Composition*, 279; see also Thomas Römer, "Exode et Anti-Exode: La nostalgie de l'Égypte dans les traditions du désert," in *Lectio difficilior probabilior? L'exégèse comme expérience de décloisonnement: mélanges offerts à Françoise Smyth-Florentin*, ed. Thomas Römer and Olivier Abel, DBAT.B 12 (Heidelberg: Wiss.-theol. Seminar, 1991), 155–72.

121. Blum, *Die Komposition der Vätergeschichte*, 145, 147; see further 168–69 and nn. 3–4.

in Gen 33:17, the textual context should be extended at least to Gen 35: Gen 28:20–22 looks forward to Jacob's return to Bethel, showing that the horizon of the Jacob cycle incorporated into the ancestral story includes Gen 35.¹²² However, it probably did not end there: the non-Priestly text from Gen 35 ends in 35:20/21 (22) with pronouncements that do not particularly recommend themselves as concluding statements.¹²³ The question of the original conclusion of an ancestral history amounting to Gen *12–35 (or already a proto-Genesis consisting of Gen *2–35)¹²⁴ still without a Joseph story need not, however, remain open as an aporia. One can instead reasonably speculate that the broken textual thread in Gen 35 has its original continuation and conclusion in the blessing of Jacob in Gen 49:*2–28.¹²⁵

What points to this proposal?¹²⁶ First, it is clear that Gen 49 cannot originally have been located in its current, salvation-historical setting: Genesis 49 drafts an order for life in the land, which does not fit well with

122. Blum attributes the return to his “compositional layer” of the “Jacob narrative” (*Die Komposition der Vätergeschichte*, 168–71). See further Hartmut Gese, “Jakob, der Betrüger?,” in *Meilenstein: Festgabe für Herbert Donner zum 16. Februar 1995*, ed. Manfred Weippert and Stefan Timm, ÄAT 30 (Wiesbaden: Harrassowitz, 1995), 34 n. 4 (cf. also Eckart Otto, *Jakob in Sichem: Überlieferungsgeschichtliche, archäologische und territorialgeschichtliche Studien zur Entstehungsgeschichte Israels*, BWANT 110 [Stuttgart: Kohlhammer, 1979], 82, 245); Kratz, *Composition*, 268, 274.

123. This argues contrary to Kratz, *Composition*, 274.

124. So Kratz, *Composition*, 274 and often.

125. Whether one attempts to postulate a literarily preserved connection from 35:22 + 49:1a is beside the point; the question primarily affects the P portions in Gen 49. The eschatological interpretation in 49:1b (“at the end of the days,” translated in a weakened manner by Macchi, *Israël*, 29–37; de Hoop, *Genesis 49*, 86–87, 507) cannot be traced back to P, nor does it fit in terms of content with 49:*2–28. It instead makes Jacob into a prophet like Moses and therefore appears to have arisen as an individual assertion.

126. Already Blum (*Die Komposition der Vätergeschichte*, 260 n. 16) thought in this direction: “With the assumption of an original connection to the texts oriented toward Gen 49 (only) with the *Jacob* narrative, then the setting of the action in Gen 49 is the land of Canaan. Then this layer of tradition would exclude the conceptual connection of the Jacob and exodus traditions, which again would be, in my view, improbable for the period under consideration” (“Bei der Annahme einer ursprünglichen Verbindung der auf Gen 49 ausgerichteten Texte [nur] mit der *Jakoberzählung* ergäbe sich zudem als Schauplatz der Handlung von Gen 49 das Land Kanaan. Dann wäre aber für diese Überlieferungsschicht eine konzeptionelle Verbindung von Jakob- und Exodusüberlieferung ausgeschlossen, was wiederum für die in Betracht kommende Zeit m.E. sehr unwahrscheinlich wäre”) (emphasis original). At least for one strand of

the promulgation in Egypt (at least in the hexateuchal sequence, the blessing of Moses is followed up in Deut 33). It currently rests in a context that it interrupts, which unanimously and for good reason is attributed to the Priestly document (Gen 49:1a, [28b,] 29–33).¹²⁷ The blessing of Jacob does not relate to this context as a literary supplement but rather as inserted source material.¹²⁸ Therefore, the current literary location of Gen 49 is not original. One can naturally assume that the blessing of Jacob initially existed on its own before it was inserted into Gen 49, but the connection to Gen 35 is just as likely. If one considers the content, it appears that Gen 49 clearly refers back to Gen 34–35 (“Gen 35:2 is presupposed for the Reuben saying and Gen 34 for those on Simeon and Levi”),¹²⁹ while such knowledge of the Joseph story is not attested in the sayings on Joseph in 49:22–26.¹³⁰ The special sense of the adoption of the Simeon and Levi as well as the Reuben tradition at the very beginning of the blessing of Jacob is evident: “After the loss of the right of the firstborn by Reuben (49:3–4) and the curse for Simeon and Levi (49:5–7), as a consequence the blessing of the firstborn falls to Judah. The distinction of Judah and his hegemony over the other brothers is likely founded in the context of Gen 49.”¹³¹

the most recent discussion of the Pentateuch, the literary separation of the Jacob and exodus traditions no longer presents a problem, but instead is the most likely solution.

127. See, e.g., Schmidt, *Josephsgeschichte*, 127–28, 207–8.; Levin, *Der Jahwist*, 311; Hans-Christoph Schmitt, “Eschatologische Stammesgeschichte im Pentateuch: Zum Judaspruch von Gen 49,8–12,” in *Antikes Judentum und Frühes Christentum: Festschrift für Hartmut Stegemann zum 65. Geburtstag*, ed. Bernd Kollmann, BZNW 97 (Berlin: de Gruyter, 1999), 3–4; Schmitt, “Die Josephsgeschichte und das deuteronomistische Geschichtswerk,” 302 and n. 45.

128. See de Pury, “Der priesterschriftliche Umgang,” 48–49 and n. 67; in part differently Schmitt, “Eschatologische Stammesgeschichte,” 3–4.

129. Levin, *Der Jahwist*, 311: “Für den Rubenspruch ist Gen 35,22, für den Spruch über Simeon und Levi Gen 34 vorausgesetzt”; cf. also the considerations in Carr, *Fragments*, 249–53; Schorn, *Ruben und das System*, 259–60. Kratz, *Composition*, 260, generally sees the whole as a post-Priestly tradition in Gen 34 “which presupposes the commandment about circumcision in Gen. 17 (P)” (“die das Beschneidungsgebot in Gen 17 [P] voraussetzt”), but he does not provide any analysis. See on the text most recently Christophe Levin, “Dina: Wenn die Schrift wider sich selbst lautet,” in Kratz, Krüger, and Schmid, *Schriftauslegung in der Schrift*, 61–72.

130. As correctly argued by Uehlinger, “Fratrerie,” 305 n. 7; 325–27; contra Macchi, *Israël* (similar is Lux, *Josef*, 247–49). The connections made by Macchi to the Joseph story more likely operated in reverse, defining the artistic frame for the Joseph story.

131. Wellhausen, *Die Composition*, 48: “Nach dem Verlust des Erstgeburtsrechts

The thematic constellation as well as the conceptual shape of Gen 49 therefore allow for the conjecture that Gen 49 originally connected to Gen 34–35 and formed the conclusion of an ancestral story pointing toward Judah's hegemony. Then, through the incorporation of the Joseph story and the Priestly document, it was split off literarily from Gen 34–35, which does not exclude the separate literary existence of Gen 49 at its very beginning, but it makes it quite improbable.

Therefore, the Joseph story was, if one follows these considerations, not added to the ancestral story but rather inserted into it. The blessing of Jacob in Gen 49 as the natural continuation from Gen 34–35 has, in this case, moved far from its original literary location and now takes place in Egypt rather than in the land of Canaan, but it continues to concern the organization of life in the land.

The redactional measures taken for this addition or rather insertion of the Joseph story to Gen 35 (and Gen 49) are essentially the following: The passage of 46:1a β –5a should receive first mention: YHWH's travel revelation to Jacob that links the Joseph story and the ancestral story together. It is apparently issued in Beersheba because that is where Isaac received a prohibition against traveling to Egypt (26:2–3), which Gen 46:3 now suspends for Jacob. Beersheba specifically recommended itself as the locality for this suspension.¹³² However, it is debated whether Gen 46:1a β –5a can still be seen as a pre-Priestly text. There are indications in this direction. They appear in the fact that the narrative horizon of Gen 46:1a β –5a with the announced death of Jacob does not extend beyond Gen 50.¹³³ Further-

für Ruben (49,3f.) und dem Fluch für Simeon und Levi (49,5–7) fällt als Konsequenz der Segen des Erstgeborenen an Juda. Im Zusammenhang von Gen 49 dürfte damit die Auszeichnung Judas und seine Herrschaft über die anderen Brüder begründet sein"). This emphasis on Judah in Gen 49 fits with the earlier mention of Migdal-Eder in 35:21 as an "allusion to Jerusalem" ("Anspielung auf Jerusalem"), "for which מְהִלָּא עֵדֶר למגדל עֵדֶר appears to be a coy expression" ("für welche Stadt מְהִלָּא עֵדֶר ein verschämter Ausdruck zu sein scheint"); cf. on this Mic 4:8 and Blum, *Die Komposition der Vätergeschichte*, 209.

132. Cf. Gertz, *Tradition und Redaktion*, 276–77. Gertz dates 46:1a β –5a "post-final-redaction" ["nachendreaktionell"] (276–77 and n. 203, instead of "23,3b–5" read there "26,3b–5"); the argument consists of the analogous placement of Gen 26:24–25a, the text is adopted in Gen 46: 1a β –5a.

133. The announced return refers to the return of the corpse, cf. Gunkel, *Genesis*, 463; Levin, *Der Jahwist*, 305, differently, e.g., Westermann, *Genesis 37–50*, 172–73, and recently again Gertz, *Tradition und Redaktion*, 277 n. 204 with reference to the

more, the announcement of becoming a nation in 46:3b is oriented not toward Exod 1, but rather backward toward Gen 12:2.

Further textual entries that serve the connection of the Joseph story to the ancestral story can be recognized in Gen 39:2–4a, 5, (*6a,) and 39:21–23.¹³⁴ These singular YHWH-theologizations within the Joseph story, which in language and content point back to Gen 12:3,¹³⁵ have led many interpreters to bracket out the entire chapter of Gen 39 from the Joseph story.¹³⁶ However, following Levin one should prefer a less radical solution for an addition that finds support from clear observations in the immediate context. It is clear, in any case, that Joseph's mediation of blessing for his Egyptian environment is interpreted in 39:2–4a, 5, (*6a,) and 39:21–23 completely in the sense of the conception found in Gen 12:3 (that which is traditionally called the “kerygma of the Yahwist”).¹³⁷ This interpretation extends throughout Genesis, as a glance at the depiction of the relationships between Israel and Egypt in Exodus (and following) quickly illustrates. The corresponding redactional passages in Gen 39 therefore only edit a literary context that does not extend beyond Genesis.

(2) Which elements made the Joseph story into an eisodus narrative? It concerns rather modest insertions that establish a functionally explicit connection between the ancestors and the exodus.¹³⁸ One must first mention those portions of text in Gen 50 that insert a second relocation to Egypt such that the concluding scene of 50:15–21 is transferred to Egypt

announcement of the growth into a nation (46:3 לגוי גדול) and the construction of the finite verb and inf. abs. in the promise of the return (46:4 גם עליה). However, the diction of 46:3bβ (לגוי גדול) does not draw from Exod 1, but rather from Gen 12:2, and the emphasized formulation of the return clearly appears before the proclamation “and Joseph will put his hand on your eyes” (46:4b).

134. See Levin, *Der Jahwist*, 36–40, 274–78; Carr, *Fractures*, 209–10.

135. See Schmitt, *Josephsgeschichte*, 87, 101–2.

136. See Schmitt, *Josephsgeschichte*, 81–89 (without 39:*1 [“Reuben layer”]); Dietrich, *Die Josephserzählung*, 27–38; Albertz, *Israel in Exile*, 263–64 and n. 358; contra, e.g., Römer, “La narration, 20.”

137. Hans Walter Wolff, “Das Kerygma des Jahwisten,” *EvT* 24 (1964): 73–98; repr., *Gesammelte Studien zum Alten Testament*, TB 22 (Munich: Kaiser, 1973), 345–73.

138. Beyond the portions of text discussed here, one should reckon that further textual material entered at the same time with it in Gen 37–50 (see, e.g., the considerations by Schmitt, “Die Josephsgeschichte und das deuteronomistische Geschichtswerk,” specifically on Gen 38 and 48:13–22); but these can remain without comment here because they do not take on an explicit connecting function.

in the first place: 50:14 plus the preparatory portions in 50:7b and 50:8b. In a real sense, however, the Joseph story becomes the bridge to the exodus account through 50:24–26 (as well as the connected statement of 48:21).¹³⁹ Whether one views the context of 50:24–26 as a literary unity or rather as staged is of subordinate importance here, for the question of post-Priestly dating is not affected by it.¹⁴⁰ Both the opening statement in 50:24 of the land promise on oath to the three ancestors (see further esp. Exod 32:13; 33:1; Num 32:11; Deut 34:4) as well as the order in 50:25 to transfer Joseph's bones (cf. Exod 13:19; Josh 24:32) already presuppose the incorporation of P into the Pentateuch/Hexateuch, as scholarship has already established repeatedly and with sufficient clarity.¹⁴¹

139. On 50:22–23, see Gertz, *Tradition und Redaktion*, 360.

140. For a literary unity, Gertz, *Tradition und Redaktion*, 360–61; Otto, *Das Deuteronomium im Pentateuch*, 218–19; Schmitt, “Die Josephsgeschichte und das deuteronomistische Geschichtswerk,” 297. For staged, Blum, *Komposition des Pentateuch*, 363; Schmid, *Genesis and the Moses Story*, 214–15.

141. On the land promise, see, e.g., Römer, *Israels Väter*, 554–68; Schmitt, “Die Josephsgeschichte und das deuteronomistische Geschichtswerk,” 298; Schmid, *Genesis and the Moses Story*, 271–81. On the order to transfer Joseph's bones, see, e.g. Blum, *Komposition des Pentateuch*, 363–64.; Schmitt, “Die Josephsgeschichte und das deuteronomistische Geschichtswerk,” 296, 299; Schmid, *Genesis and the Moses Story*, 193–96.

Sapiential Anthropology in the Joseph Story

The Joseph story is one of the finest pieces of literature in the Bible. It is also one of the most theologically interesting and challenging texts of Judaism and Christianity. But what is this story actually about? How are we to interpret it? Historical exegesis has at times described its meaning as the voice of the Egyptian diaspora, advocating the legitimacy of Jewish life abroad.¹ Indeed, the Joseph story seems to serve as a counterpoint to the Deuteronomistic History, which claims that a good life is only possible within Israel and Judah's land and that losing one's land, as reported in 2 Kgs 17 and 25, is tantamount to the catastrophe par excellence. The Joseph story instead holds that diaspora life is possible,

1. See Arndt Meinhold, "Die Gattung der Josephsgeschichte und des Estherbuches: Diasporanovelle," ZAW 87 (1975): 306–24; ZAW 88 (1976): 72–93; Rüdiger Lux, *Josef: Der Auserwählte unter seinen Brüdern*, Biblische Gestalten 1 (Leipzig: Evangelische Verlagsanstalt, 2001), 237–39; Jürgen Ebach, *Genesis 37–50*, HThKAT (Freiburg im Breisgau: Herder, 2007), 692–93; Konrad Schmid, "The Joseph Story in the Pentateuch," ch. 18 in this volume. See also Ludwig A. Rosenthal, "Die Josephsgeschichte mit den Büchern Ester und Daniel verglichen," ZAW 15 (1895): 278–84; Rosenthal, "Nochmals der Vergleich Ester, Joseph, Daniel," ZAW 17 (1897): 125–28; Franziska Ede, *Die Josefsgeschichte: Literarkritische und redaktionsgeschichtliche Untersuchungen zur Entstehung von Gen 37–50*, BZAW 485 (Berlin: de Gruyter, 2016), 514 n. 5 (bibliography). A different position is taken by Erhard Blum and Kristin Weingart, "The Joseph Story: Diaspora Novella or North Israelite Narrative?," ZAW 129 (2017): 501–21, see also Rainer Albertz, "Die Josephsgeschichte im Pentateuch," in *Diasynchron: Beiträge zur Exegese, Theologie und Rezeption der Hebräischen Bibel*; Walter Dietrich zum 65. Geburtstag, ed. Thomas Naumann and Regine Hunziker-Rodewald (Stuttgart: Kohlhammer, 2009), 11–36, esp. 20, 25; Jakob Wöhrle, "Joseph in Egypt: Living under Foreign Rule according to the Joseph Story and Its Early Intra- and Extra-Biblical Reception," in *Between Cooperation and Hostility: Multiple Identities in Ancient Judaism and the Interaction with Foreign Powers*, ed. Rainer Albertz and Jakob Wöhrle, JAJSup 11 (Göttingen: Vandenhoeck & Ruprecht, 2013), 53–72.

meaningful, and theologically legitimate. The Joseph story mentions God only three times on the level of the narrative itself, all of them occurring in Gen 39, the chapter describing the events in the house of Potiphar.² God was with Joseph (39:2), and Joseph's master Potiphar—an Egyptian!—saw that God (the text even uses the Tetragrammaton) was with Joseph (39:3); Gen 39:6 even mentions that God blessed the Egyptian's house for Joseph's sake, of course taking up the famous blessing from Gen 12:3. In other words, the Joseph story states here that Israel's God is also present abroad, and he takes care of both Israelites and foreigners on a global scale.

In addition, the Joseph story takes no offense at mixed marriages (Joseph marries Aseneth, the daughter of a pagan priest), which would be an abomination for the Deuteronomists. One could even characterize the Joseph story as an anti-Deuteronomistic History that allows whatever the Deuteronomistic History forbids. It is, so to speak, one of the liberal voices in Genesis–2 Kings. The apocryphal novel of Joseph and Aseneth, which may date to the first century BCE, deals with the theological difficulties that the biblical Joseph story poses and recounts how Aseneth gets rid of all her Egyptian idols and converts to Judaism before marrying Joseph.

However, this historical approach is just one possible angle for interpreting the Joseph story. This text is of course more than a political statement of the Egyptian Jewish diaspora, which, as can be deduced from the so-called Passover letter in the Elephantine papyri, originated during or even prior to the seventh century BCE.

The Joseph story contains other topics deserving attention as well. This essay discusses the story's anthropology: How does the Joseph story depict its main characters and their development, and what anthropological insights can one gain from this approach? As will become clear, these questions pertain to what is at times identified as the sapiential imprint of the Joseph story.

To begin, a common misunderstanding of the Joseph story should be addressed.³ It is *not* about a morally ideal Joseph who becomes the

2. On Gen 39 and its secondary nature within Gen 37–50 see Thomas Römer "The Joseph Story in the Book of Genesis: Pre-P or post-P?," in *The Post-Priestly Pentateuch: New Perspectives on Its Redactional Development and Theological Profiles*, ed. Federico Giuntoli and Konrad Schmid, FAT 101 (Tübingen: Mohr Siebeck, 2015), 187–89; Ede, *Die Josefs Geschichte*, 105.

3. See Konrad Schmid, "Josephs zweiter Traum: Beobachtungen zu seiner lite-

victim of his morally deprived brothers and then forgives them. Instead, it is about human characters whom the narratives portray throughout as developing—and this is true for both Joseph and his brothers. Humans are ambivalent by nature, and their character changes over time.

Such an ambiguous characterization seems especially difficult to prove for Joseph, the seemingly stellar hero of the story. Yet it is both possible and necessary to get a more nuanced impression of his portrayal in the narrative. I shall demonstrate this by concentrating on an often-neglected element in the story, Joseph's second dream in Gen 37.

As is well known, Joseph reports two dreams to his brothers at the beginning of the story.⁴ The first one deals with the brothers' sheaves bowing down before Joseph's sheaf. The second one reports that eleven stars, the sun, and the moon bow down to Joseph. A number of commentators have evaluated these two dreams as redundant. Hermann Gunkel, for instance, writes: "Both dreams carry the same meaning, it is possible the narrator thought of the *two* journeys of the brothers to Egypt by doubling the dreams."⁵

Especially in German scholarship, these evaluations have even led to composition-critical judgments that remove the second dream from the original story. This issue will be discussed below. But first we will take a closer look at these dreams. The first dream unfolds as follows (Gen 17:5–8):

ויחלם יוסף חלום ויגד לאחיו ויוספו עוד שנה אתו ויאמר אליהם שמעו נא החלום הזה אשר חלמתי והנה אנחנו מאלמים אלמים בתוך השדה והנה קמה אלמתי וגם

rarischen Funktion und sachlichen Bedeutung in der Josephsgeschichte (Gen 37–50)," ZAW 128 (2016): 374–88.

4. See Jörg Lanckau, *Der Herr der Träume: Eine Studie zur Funktion des Traumes in der Josefsgeschichte der Hebräischen Bibel*, ATANT 85 (Zurich: TVZ, 2006), 168–75. See also Ron Pirson, *The Lord of the Dreams: A Semantic and Literary Analysis of Genesis 37–50*, JSOTSup 355 (London: Sheffield Academic, 2003), 50–52; Jan-Dirk Döhling, "Die Herrschaft erträumen, die Träume beherrschen: Herrschaft, Traum und Wirklichkeit in den Josefsträumen (Gen 37,5–11) und der Israel-Josefsgeschichte," BZ 50 (2006): 1–30.

5. Hermann Gunkel, *Genesis: Übersetz und erklärt*, 3rd ed., HKAT 1.1 (Göttingen: Vandenhoeck & Ruprecht, 1910), 404, emphasis original: "Beide Träume bedeuten dasselbe; möglich, dass der Erzähler bei der Doppelzahl der Träume an die *beiden* Reisen der Brüder nach Ägypten gedacht hat." Unless otherwise noted, translations are mine.

נצבה והנה תסבינה אלמתיכם ותשתחוין לאלמתי ויאמרו לו אחיו המלך תמלך עלינו אם משול תמשל בנו ויוספו עוד שנא אתו על חלמתי ועל דבריו
 Once Joseph had a dream, and when he told it to his brothers, they hated him even more. He said to them, "Listen to this dream that I dreamed. Behold, we were binding sheaves in the field. And behold, my sheaf rose and stood upright; and behold, your sheaves gathered around it, and bowed down to my sheaf." His brothers said to him, "Are you indeed to reign as king over us? Are you indeed to have dominion over us?" So they hated him even more because of his dreams and his words.

This dream is framed by two references to the brothers' hatred of Joseph in 37:5, 8. There is even a pun in the Hebrew wording of "they hated him even more" (ויוספו עוד שנא אתו), which creates a wordplay with the proper name Joseph.

Two aspects in the dream are especially noteworthy. First, the dream seems to require no explanation or interpretation. According to the reaction of the brothers, they immediately get the point—namely, that Joseph will have dominion over them. The brothers also take action against the dream's possible fulfillment. This takes me immediately to the second point. This dream is the central, driving force for what is to come in the Joseph story, precisely *because* Joseph's brothers seek to prevent the dream from coming true. Or to state it even more directly, in the brothers' very efforts to hinder the dream's fulfillment, they enable it to come true. Specifically, the brothers' attempt to kill Joseph actually helps Joseph advance to the position of vizier in Egypt. However, he never becomes king over his brothers, which is their concern in 37:8.

This motif of an oracle or dream that comes true through someone's effort to thwart it is common in ancient storytelling, but it especially recalls the story of King Oedipus, whose father Laius abandoned him as a baby in order to prevent an oracle from coming true. In the end, the oracle is fulfilled because of this abandonment. Only because Oedipus did not grow up with his parents was he able to murder his father and marry his mother.

Reading on, there is a small detail in Gen 37 that is often overlooked but that bears great significance for the narrative development of the dreams' fulfillment. In Gen 37:14–17, Joseph is sent by his father Jacob to his brothers in order to check on their shalom.

ויאמר לו לך נא ראה את שלום אחיך ואת שלום הצאן והשבני דבר וישלחו מעמק חברון ויבא שכמה וימצאוהו איש והנה תעה בשדה וישאלוהו האיש לאמר מה תבקש ויאמר את אחי אנכי מבקש הגידה נא לי איפה הם רעים ויאמר האיש נסעו מזה כי שמעתי אמרים נלכה דתינה וילך יוסף אחר אחיו וימצאם בדתן

So he said to him, "Go now, see if it is well with your brothers and with the flock; and bring word back to me." So he sent him from the valley of Hebron. He came to Shechem, and a man found him as he was lost in the fields; the man asked him, "What are you seeking?" He said "I am seeking my brothers, tell me, please, where they are pasturing the flock." The man said, "They have gone away, for I heard them say, 'Let us go to Dothan.'" So Joseph went after his brothers, and found them at Dothan.

This short scene of Joseph searching for his brothers and briefly conversing with "a man" seems to be strange, even superfluous, within the overall Joseph story. Nevertheless, it highlights a specific question that readers might have concerning Joseph's fate: Why did God not prevent Joseph from being endangered by his brothers? This little passage seems to provide an answer. God not only permitted Joseph to engage in a possibly lethal interaction with his brothers, but even sent Joseph deliberately into their arms.

Why is this so? As Benno Jacob and others have suggested, this "man" who sends Joseph to his brothers seems to be divine.⁶ In various ways, he resembles figures similar to what one finds in Gen 18:2; Gen 32:23–33; and Josh 5. These figures are also called "men," but they are in fact divine messengers (cf. Gen 16:7). While this little scene in Gen 37 is somewhat enigmatic, the "man" here, to my mind, is indeed best interpreted as a divine figure. This conclusion receives further support from the fact that Joseph does not merely "meet" him. Rather, the man "finds" Joseph, just as Joseph in the end "finds" his brothers. If this reading is correct, then according to this passage, God himself provides Joseph with directions for finding his would-be murderers.

Readers of the story must exercise considerable patience before learning that Joseph's distress serves the greater good of Israel's survival during the seven years of famine that later occur. At any rate, this small narrative detail highlights that the Joseph story appears to deny the view that anything happening in this world, however cruel, might simply result from an oversight on God's part. On the contrary, God can be perceived even behind actions and events that most people would probably dissociate from him completely. God is the sovereign ruler of the world acting wisely and secretly in the background.

6. Benno Jacob, *Das erste Buch der Tora: Genesis* (New York: Schocken, 1934), 703. See also Ede, *Die Josefsgeschichte*, 29 n. 26.

Back to Joseph's initial dreams. Here is his second dream (37:9–11):

ויחלם עוד חלום אחר ויספר אתו לאחיו ויאמר הנה חלמתי חלום עוד והנה השמש והירח ואחד עשר כוכבים משתחוים לי ויספר אל אביו ואל אחיו ויגער בו אביו ויאמר לו מה החלום הזה אשר חלמת הבוא נבוא אני ואמך ואחיד להשתחוות לך ארצה ויקנאו בו אחיו ואביו שמר את הדבר

And he had another dream, and told it to his brothers, saying, "Look, I have had another dream: behold, the sun, the moon, and eleven stars were bowing down to me." But when he told it to his father and to his brothers, his father rebuked him, and said to him, "What kind of dream is this that you dreamt? Shall we indeed come, I and your mother and your brothers, and bow to the ground before you?" So his brothers were jealous of him, but his father kept the matter in mind.

This second dream has received little attention in scholarship. Scholars usually consider it a doubling of the first one. As stated earlier, especially German-speaking scholars have proposed its removal based on *Literarkritik*, which means literary-criticism or, perhaps more unambiguous for an English-speaking context, composition- or source-criticism. I will illustrate this by tracing Christoph Levin's approach to the dream. He interprets it as an "awkward duplication" of the first dream, which, according to Levin, is also a later addition to the original Joseph story.⁷ Reinhard Kratz more recently follows his conclusion, and so does Franziska Ede.⁸ Levin's, Kratz's, and Ede's reading results in a simplification of the Joseph story in both narrative and theological terms that to my mind remains unconvincing. The dreams in the Joseph story are an essential narrative constituent of the plot and cannot be removed from it without damaging the whole narrative.⁹

7. Christoph Levin, *Der Jahwist*, FRLANT 157 (Göttingen: Vandenhoeck & Ruprecht, 1993), 272: "ungeschickte Verdoppelung."

8. Reinhard G. Kratz, *The Composition of the Narrative Books of the Old Testament*, trans. John Bowden, (London: T&T Clark, 2005), 276 and n. 41; 317 n. 24; trans. of *Die Komposition der erzählenden Bücher des Alten Testaments*, UTB 2157 (Göttingen: Vandenhoeck & Ruprecht, 2000), 283 and n. 68, 324 n. 24; Ede, *Die Josefsgeschichte*, 49.

9. See Schmid, "The Joseph Story in the Pentateuch"; see also Albertz, "Die Josephsgeschichte." Ferdinand Ahuis, "Die Träume in der nachpriesterschriftlichen Josefsgeschichte," in *"Sieben Augen auf einem Stein" (Sach 3,9): Studien zur Literatur des Zweiten Tempels; Festschrift für Ina Willi-Plein zum 65. Geburtstag*, ed. Friedhelm Hartenstein and Michael Pietsch (Neukirchen-Vluyn: Neukirchener Verlag, 2007), 1–20, wants to assign the dreams only to the post-P edition of the Joseph story.

This is also true for Joseph's second dream in Gen 37. Upon closer examination, it becomes clear that this second dream is a literary entity in its own right and not just a duplicate of the first dream. Each dream fulfills important narrative functions within the overall story.

In order to describe them, it is helpful to identify the differences between the first and the second dream in Gen 37. Joseph's first dream consists of three scenes, each of which is introduced by הנה, "behold." Joseph's second dream includes only one scene and is likewise introduced by הנה "behold." Yet this point is only formal. What is more important are the differences in the dreams' content.

In Joseph's first dream, everyone involved is portrayed as a sheaf. The eleven sheaves representing Joseph's brothers bow down in front of Joseph's sheaf. In his second dream, in addition to the brothers, who are represented here by eleven stars, Joseph's parents are present as images of the sun and moon. However, Joseph appears as himself: "The sun, the moon, and eleven stars were bowing down *to me*." The heavenly bodies are bowing down to Joseph, not to another star representing Joseph.

A final difference involves the fact that Jacob rebukes his son on account of the second dream because it depicts the parents paying honor to Joseph: "What kind of dream is this that you have had? Shall we indeed come, I and your mother and your brothers, and bow to the ground before you?" Such reverence is apparently unthinkable for Joseph's father, Jacob.¹⁰

But the second dream is most disturbing not merely because of Jacob's interpretation of it, but also because of the imagery itself. The scene of the heavenly bodies venerating a human being clearly has blasphemous overtones. It bears witness to a certain hubris on the part of its dreamer. As texts such as Ps 148:1, 3 or Job 38:6–7 show, if the heavenly bodies show reverence to anyone, then it is God alone.

על מה אדניה הטבעו או מי ירה אבן פנתה ברן יחד כוכבי בקר ויריעו כל בני
אלהים

10. As a quick note on Joseph's mother in the second dream, interpreters have often wondered how Jacob can speak of Rachel as if she were still alive, given that her death was reported back in Gen 35. Instead of discussing possible harmonizations, I assume that this narratological problem arises from the fact that the Joseph story did not originate as an appendix to Gen 12–36 as, e.g., Reinhard Kratz holds (*Composition*, 274–79). It was probably originally written as an independent novel, see in more detail in "Joseph Story in the Pentateuch," ch. 18 in this volume.

On what were its [i.e., the earth's] bases sunk, or who laid its cornerstone, when the morning stars sang together and all the heavenly beings/sons of God shouted for joy? (Job 38:6–7)

הללו יה
הללו את יהוה
מן השמים ...
הללוהו שמש וירח
הללוהו
כל כוכבי אור

Praise YHWH!
Praise YHWH
from the heavens....
Praise him, sun and moon;
praise him,
all you shining stars! (Ps 148:1, 3)

Accordingly, Joseph's second dream not only overturns the parent-child relationship but also violates God's exclusive sovereignty over the stars. Joseph somehow dreams himself into a position that elevates him above his parents and which, on top of that, actually should be reserved for God alone.

Taken together, Joseph's two dreams in Gen 37 share a common core—Joseph anticipates dominion over his brothers. The second dream, however, also includes some elements that go beyond the first one. The parents are part of the depiction; the specific imagery of the heavenly bodies evokes overtones of hubris; and Joseph appears as himself in the second dream—instead of as a heavenly body like everyone else in his family.

What, then, is the narrative function of Joseph's second dream within the overall Joseph story? Several points are relevant here. First, it should be highlighted that, unlike the many other dreams in the Joseph story, Joseph's second dream is never really fulfilled. The parents never bow to Joseph. There is an enigmatic note in Gen 47:31b that describes the dying Jacob "bowing" to the head of his bed.¹¹ This occurs in the presence of his son Joseph, but it does not imply reverence to Joseph.

11. See Levin, *Der Jahwist*, 307–8; Kratz, *Composition*, 274; see also Horst Seebass, *Genesis III: Josephsgeschichte* (37,1–50,26) (Neukirchen-Vluyn: Neukirchener Verlag, 2000), 151; Raymond de Hoop, *Genesis 49 in Its Literary and Historical Context*, OTS 39 (Leiden: Brill, 1999), 328–32, 460–64; de Hoop, "Then Israel Bowed Himself..."

וישתחו ישראל על ראש המטה

And Israel bowed himself on the head of his bed.

How should we interpret this nonfulfillment? The Joseph story evidently attempts to show that dreams are not always heavenly revelations that can be trusted as such. They may contain human hyperbole that the dreamers add to their content. This point holds true especially for the parents' reverence toward Joseph in his second dream.

Another observation follows logically: Joseph's second dream seems to imply criticism of Joseph's character. According to the Joseph story, there is no black and white separation between Joseph and his brothers. The texts do not portray a perfect Joseph on one side and a rotten bunch of brothers on the other side. Rather, the often-overlooked point is that both parties, the brothers and Joseph, are painted in an ambiguous light.

With regard to the narrative development of characters within the Joseph story, which ends in Gen 50 with a reconciled family, this also means that the Joseph story recounts both the development of the brothers and the development of Joseph himself.

Let us look first at the brothers. There are many nuances among them. First of all, Benjamin holds a special position. Conspicuously, Benjamin makes his initial appearance in the Joseph story in the context of the brother's second journey to Egypt. As Erhard Blum has correctly pointed out, the belated nature of Benjamin's appearance as a distinct character within the Joseph story arises from the specific focus of the narrator.¹² Up until the second journey to Egypt—Benjamin is first mentioned in Gen 42:4!—the main divide occurs between the brothers and Joseph. For the sake of maintaining this narrative focus, Benjamin is not portrayed as a figure in his own right. This first mention of him is formulated in a highly noteworthy manner (42:4):

ואת בנימין אחי יוסף לא שלח יעקב את אחיו כי אמר פן יקראנו אסון

But Jacob did not send Joseph's brother Benjamin with his brothers, for he said that harm might come to him.

(Genesis 47,31)," *JSOT* 28 (2004): 467–80; Ebach, *Genesis 37–50*, 521–22; Döhling, "Die Herrschaft," 20–23.

12. Erhard Blum, "Zwischen Literarkritik und Stilkritik: Die diachrone Analyse der literarischen Verbindung von Genesis und Exodus—im Gespräch mit Ludwig Schmidt," *ZAW* 124 (2012): 492–515.

Benjamin is specifically introduced as “*Joseph’s brother*” (singular), and then the text states that he was not sent “with his brothers” (plural) to Egypt. There is a double conception of brotherhood implied here. Being a brother to Joseph (of course, because they have the same mother, Rachel) is something different from being a brother to the rest of his brothers (having the same father, Jacob). We are not told whether Benjamin was part of the assault against Joseph in Gen 37. The text apparently has no interest in that question because it focuses exclusively on the confrontation between Joseph and his other brothers. We may assume *e silentio* that Benjamin either stayed home, or that he was too little to take responsibility for being involved in his brother’s actions against Joseph. At any rate, the narrator first presents him to the reader in Gen 42.

Judah is also portrayed in a complicated way. At the beginning of the story, he is one of the instigators and is actively involved in the attack on Joseph. Over the course of the two journeys and Joseph’s pressure to bring Benjamin along, he then develops into a responsible character who in his great speech of Gen 44:18–34—the longest in the book of Genesis—himself offers to stay in Egypt as Joseph’s slave in place of Benjamin.¹³ His main concern in the offer is not for Benjamin, but for their father Jacob, as the concluding sentence of his speech highlights (44:34):

כי איך אעלה אל אבי והנער איננו אתי פן אראה ברע אשר ימצא את אבי

For how can I go back to my father if the boy is not with me? I could not see the evil that would come upon my father.

Judah’s speech recalls an important motif that binds the overall Joseph story together. After Jacob learns of Joseph’s alleged death, he is himself on the verge of death, bringing up a two-part question for the reader: Will Jacob ever see Joseph again, and will Joseph meet his father again before he passes away? In inadvertently returning to this very important point for Joseph, Judah triggers the following scene in Gen 45, where Joseph can no longer hold back his feelings and reveals his true identity to his brothers.

Let us turn finally to Reuben.¹⁴ He plays a special role in Gen 37, which depicts his efforts to save Joseph from his other brothers’ attempt

13. Mark A. O’Brien, “The Contribution of Judah’s Speech, Genesis 44:18–34, to the Characterization of Joseph,” *CBQ* 59 (1997): 429–47; Jan Joosten, “Biblical Rhetoric as Illustrated by Judah’s Speech in Genesis 44.18–34,” *JSOT* 41 (2016): 15–30.

14. See Ulrike Schorn, *Ruben und das System der Zwölf Stämme Israels*, BZAW 248 (Berlin: de Gruyter, 1997).

to murder him. These passages, however, are somewhat loosely integrated into their context. It may well be that they are the result of redactional reworking of the Joseph story that took place in order to mitigate the guilt of the brothers by describing Reuben, the first-born, as a potential but unsuccessful savior of Joseph.¹⁵

But what about Joseph? Genesis 37 introduces Joseph as the beloved son of his father. He is also privileged among his brothers: he does not seem to have to work. Furthermore, he wears a special garment that is otherwise only mentioned in the context of 2 Sam 13, where the princess Tamar also wears a כִּתְנֵת פָּסִים. The Septuagint translates as χιτῶν ποικίλον, a colorful coat. And he dreams his high-flying dreams for which his brothers and father rebuke him. So Joseph is far from being a perfect character, at least at the beginning of the story.

His character develops over the course of the narrative, especially by means of how he deals with his brothers when they come to him twice in Egypt. It is never explicitly stated what Joseph intends by imprisoning Simeon and by holding Benjamin back, but it becomes evident from the story line that he carries out a kind of test. Are the brothers still the same as when they abandoned him in the pit? Or did they change? From Judah's speech in Gen 44:18–34, it becomes clear that Judah and his brothers are now ready to take on responsibility, both for their youngest brother and for their dying father. This brings on the peripety: Joseph is overwhelmed by his emotions and makes himself known to his brothers. Testing the brothers leads to Joseph's change and to their reconciliation.

The main passage in the Joseph story that deals with the formation of Joseph's character appears at the very end. After Jacob's death, the brothers fear Joseph's revenge (50:15–17a):

ויראו אחי יוסף כי מת אביהם ויאמרו לו ישטמנו יוסף והשב ישיב לנו את כל הרעה אשר גמלנו אותו ויצוו אל יוסף לאמר אביך צוה לפני מותו לאמרכה תאמרו ליوسف אנא שא נא פשע אחיך וחטאתם כי רעה גמלוך ועתה שא נא לפשע עבדי אלהי אביך

Joseph's brothers realized that their father was dead, and they said, "What if Joseph still bears a grudge against us and pays us back in full for all the wrong that we did to him?" So they approached Joseph, saying, "Your father gave this instruction before he died, 'Say to Joseph: I beg you, forgive the crime of your brothers and the wrong they did in harm-

15. See, e.g., Ede, *Die Josefsgeschichte*, 34–37.

ing you.' Now therefore please forgive the crime of the servants of the God of your father."

We do not know whether the brothers fabricate this instruction or whether the narrative employs elliptic style (the father indeed had told them, but this is not reported within the story). The latter is more probable given the seriousness of the scene. At any rate, the brothers' plea including the report of the father's instruction seem to suggest that the brothers feel so ashamed that they do not dare ask directly for Joseph's forgiveness. What is Joseph's reaction (50:17b–18)?

ויבך יוסף בדברם אליו וילכו גם אחיו ויפלּו לפניו ויאמרו הננו לך לעבדים
Joseph wept when they spoke to him. Then his brothers also wept, fell down before him, and said, "We are here as your slaves."

Joseph is not angry, instead he shows compassion: He weeps. While the brothers do not ask for forgiveness, they offer themselves as slaves, just as Judah did in his great speech at the end of Gen 44. Genesis 44:16 הננו לך לאדני ("We are here as slaves of my lord") and Gen 50:18 הננו לך לעבדים ("We are here as your slaves") are formulated as analogies, with the notable difference in how Joseph is addressed ("my lord"/"you"). Joseph's astonishing reaction follows. He says to them (50:19):¹⁶

אל תיראו כי התחת אלהים אני
Do not be afraid! Am I in the place of God?

The reader can easily understand the introduction of Joseph's speech: "Do not be afraid!" Joseph does not plan to punish and/or enslave his brothers.

But then he continues: "Am I in the place of God?" Why does he say this? It could be interpreted, first, as an answer to the brothers' reported request for forgiveness: only God can forgive. But this does not seem to be the main focus of Joseph's reaction, since he has already told them not to be afraid. Second, one could, therefore, consider the possibility of a self-critical evaluation of Joseph's previous behavior in Egypt toward his brothers. He treated them ruthlessly and arbitrarily, like a tyrant treats his

16. See Jürgen Ebach, "Ja, bin denn *ich* an Gottes Stelle? (Genesis 50:19): Beobachtungen und Überlegungen zu einem Schlüsselsatz der Josefsgeschichte und den vielfachen Konsequenzen aus einer rhetorischen Frage," *BibInt* 11 (2003): 602–16.

servants. But again, this seems to miss the point. Joseph's remark instead builds a bridge back to his second dream in Gen 37, where he dreamed of himself in the position of God. The stars, the sun, and the moon bowed to him, and now he states, again in front of his brothers, "Am I in the place of God?" The answer to this rhetorical question is, of course, "No." No, Joseph is Joseph, and God is God. Joseph's answer in Gen 50:19 ("Am I in the place of God?") thus reflects back on his second dream in Gen 37:9–11, which depicts Joseph as carried away by hubris. Joseph's second dream is nullified by Gen 50:19. But in order to understand Joseph's answer properly, one must read on (50:20–21):

ואתם חשבתם עלי רעה אלהים חשבה לטבה למען עשה כיום הזה להחית עם
 רבועתה אל תיראו אנכי אכלכל אתכם ואת טפכם וינחם אותם וידבר על לבם
 "Even though you intended to do harm to me, God intended it for good,
 as he is doing today, in order to preserve a numerous people. So do not
 be afraid; I myself will provide for you and your little ones." In this way
 he reassured them, speaking kindly to them.

Joseph explains why he is not in the place of God. The brothers intended to harm, even to destroy Joseph, but even behind these dire intentions, Joseph still recognizes God's plan to do the opposite—namely, to save his people.

Why does this statement immediately follow Joseph's assertion about not occupying God's position? What is the sequential logic between 50:19 and 50:20? One cannot know with certainty because there is no explicit explanation of the logic of this sequence. Nevertheless, the following seems plausible: When Joseph accepts his differentiation from God, he is able to discern God's guiding hand in the turmoil of history. Only by bidding farewell to his hubris is he able to gain true knowledge about what happened to him and his brothers. God is God, and man is man. That is a basic conviction of the wisdom tradition, and the Joseph story seems to draw on this sapiential insight.

אל תבהל על פיד ולבך אל ימהר להוציא דבר לפני האלהים כי האלהים בשמים
 ואתה על הארץ

Never be rash with your mouth, nor let your heart be quick to utter a
 word before God, for God is in heaven, and you upon earth. (Qoh 5:1
 [ET 5:2])

One can identify another sapiential element in the Joseph story in Gen 50:20: the specific notion of how God acts in history appears as an interpretation

in Joseph's mouth. The narrator could have addressed his readers directly to identify the moral of the story, stating something like, "Even though the brothers intended to do harm to Joseph, God intended it for good in order to preserve a numerous people, just as he is doing today." But the narrator did not. He lets Joseph state it within the framework of the narrative: "Even though *you* intended to do harm to me, God intended it for good in order to preserve a numerous people, as he is doing today." What is the difference? The Joseph story does not present God's action in history as a fact about which the reader can be informed or not, but as an interpretation that is accessible and plausible especially for the character of Joseph himself. This is an amazing choice, and it again demonstrates the anti-Deuteronomic shape of the Joseph story: In the Deuteronomic History in Deuteronomy through Kings, it is a common occurrence to identify God's will and acts in history on the level of the narrative itself, as if it were an evident truth. The Joseph story thinks differently here. Perceiving God's hand in history is a subtle act of interpretation that cannot be achieved by everyone. The Joseph story appears to place this interpretation of history deliberately in Joseph's mouth. Why? Joseph is the main victim and has suffered the most during the events of the narrative. Therefore, no one else qualifies as a legitimate interpreter of his own difficult story that results from God's good will. The same interpretation in the mouth of the brothers, for instance, would be an insult. It is only possible for Joseph himself to make this statement. This essay does not provide the ideal context for a detailed comparison with other biblical formulations of God's action in history that are similar or comparable to the Joseph story, such as, for instance, those found in Jonah, Deutero-Isaiah, or in parts of the wisdom literature. At this point, it suffices to introduce a general typology of theologies of history proposed by the Egyptologist Jan Assmann that might be helpful in order to interpret the Joseph story's position in this regard.¹⁷ Assmann differentiates between three different understandings of how God acts in history in ancient literature including the Bible.

First, many texts promulgate the notion of divine interventions, such as God's splitting of the sea in Exod 14–15 or God's sending down of fire

17. See Jan Assmann, *Das kulturelle Gedächtnis: Schrift, Erinnerung und politische Identität in frühen Hochkulturen* (Munich: Beck, 1992), 248–58; English trans.: *Cultural Memory and Early Civilization: Writing, Remembrance, and Political Imagination* (Cambridge: Cambridge University Press, 2011). See also Konrad Schmid, *Theologie des Alten Testaments*, NTG (Tübingen: Mohr Siebeck, 2019), 287–307.

in the story of the competition between Elijah and the prophets of Baal on Mount Carmel in 1 Kgs 18. Second, some texts view history as dependent upon a specific covenantal agreement between God and his people. Chief among them in the Hebrew Bible are the book of Deuteronomy and the Deuteronomistic literature, which connect historical experiences of blessing and curse to Israel's obedience or disobedience to God's will. And third, we also find the notion of a divinely ordained history, as for instance in the book of Daniel or later apocalyptic texts.

If we compare the Joseph story to this conceptual matrix, it does not fit any of the categories very well. It views God's action in history as much more remote and intricate. Identifying God's hand in history is foremost a matter of interpretation that is placed primarily on the shoulders of the victims rather than the victors of events. Nevertheless, it is possible to say that the Joseph story presupposes covenantal interpretations of history, but it criticizes their point of view. Bad behavior such as the brother's is not always punished. It can instead be directed toward a higher good by God himself. The Joseph story does not yet witness to a fully ordained concept of history as known from apocalyptic texts, however. There is human freedom in history, but at the same time also something like hidden divine providence behind history. This point of view between covenantal and ordained concepts of history points to a date between Deuteronomy and Daniel, in absolute terms probably between the sixth and the fourth century.

Why does the Joseph story formulate such a unique position regarding God's involvement in history? This approach results from its sapiential imprint. The Joseph story, at least in parts, belongs to the wisdom tradition. The literature of the wisdom tradition that is found throughout the ancient Near East and also in the Hebrew Bible is very reluctant to speak too bluntly with regard to God. God is God, and humans are humans. If someone were to try to infer a theology of history, then a sapiential approach responds with caution to attempts to construct or propose divine plans in history. Applying human wisdom to the problem of how God acts in history means at the same time acknowledging the limits of human wisdom in that respect. Therefore, the Joseph story concludes the following: Identifying God's hand in history is foremost a personal matter, not a matter of objective certainty. It is impossible to develop an overall conception of God's involvement in history. For Joseph it is only possible to identify God's hand behind his own fate. His identification of God's providence has

also required that he clearly acknowledge his status as a human: he is not in God's place, and it is because of this very awareness that he is able to recognize God's acts in his own life, though at so many times it may have looked as if he had been abandoned by God. Finally, Joseph's transformation from a spoiled youngster to a responsible leader is also a wisdom topic: the story speaks of character formation through experience and education.

What is the position of the Joseph story within the wisdom tradition, and what does this imply for its dating? The notion of the Joseph story having a sapiential imprint has become a common assumption in scholarship ever since Gerhard von Rad.¹⁸ However, von Rad's approach was informed only by the few textual and thematic links he identified between the Joseph story and the early wisdom tradition. For instance, von Rad pointed out parallels between Gen 39, the story about the affair with Potiphar's wife, and Prov 23:27–28:

כי שוחה עמקה זונה ובאר צרה נכריה
אף היא כחתף תארב ובוגדים באדם תוסף

For a prostitute is a deep pit; an adulteress is a narrow well.
She lies in wait like a robber and increases the number of the faithless.

Or regarding Joseph's talks with his brothers, von Rad hints at Prov 16 and 25, which appreciate the power of the word:

לב חכם ישכיל פיהו ועל שפתיו יסוף לקח

The heart of the wise makes their speech judicious, and adds persuasiveness to their lips. (Prov 16:23)

תפוחי זהב במשכיות כסף דבר דבר על אפניו

Like apples of gold in a setting of silver is a word fitly spoken. (Prov 25:11)

Finally, von Rad saw a link between the so-called quintessence of the Joseph story in 50:20–21 and sayings such as Prov 16:9 and 20:24:

18. Gerhard von Rad, "The Joseph Narrative and Ancient Wisdom," in *The Problem of the Hexateuch and Other Essays*, trans. E. W. Trueman Dicken (Edinburgh: Oliver & Boyd, 1966, 292–300; von Rad, "Die Josephsgeschichte," in *Gottes Wirken in Israel: Vorträge zum Alten Testament*, ed. Odil H. Steck (Neukirchen-Vluyn: Neukirchener Verlag, 1974), 22–41.

ואתם חשבתם עלי רעה אלהים חשבה לטבה למען עשה כיום הזה להחית עם רב
ועתה אל תיראו אנכי אכלכל אתכם ואת טפכם וינחם אותם וידבר על לבם
“Even though you intended to do harm to me, God intended it for good,
as he is doing today, in order to preserve a numerous people. So do not
be afraid; I myself will provide for you and your little ones. In this way he
reassured them, speaking kindly to them.” (Gen 50:20–21)

לב אדם יחשב דרכו ויהוה יבין צעדו

The heart of a human plans his way, but YHWH directs his step. (Prov 16:9)

מיהוה מצעדי גבר ואדם מה יבין דרכו

All the steps of a man are ordered by YHWH; how can a human under-
stand his own way? (Prov 20:24)

Von Rad was interested in dating the Joseph story to the period of what he called the Solomonic enlightenment, so looked for parallels in the older wisdom tradition. But as especially Michael Fox has pointed out, the Joseph story is more similar to the wisdom tradition as witnessed, for example, in the book of Daniel than in the older parts of the book of Proverbs. Fox writes, “The concept of wisdom in the Joseph story is affiliated with the pietistic and inspired wisdom of Daniel rather than with the ethical and practical wisdom of Wisdom literature.”¹⁹

However, in light of this analysis of Joseph’s character formation and transformation as depicted in Gen 37–50, it is fair to say that the Joseph story combines the ethical and practical concept of wisdom with its inspired notion by conceiving of the former as presupposing the latter. The Joseph story thus forms a bridge between the older and the younger wisdom tradition, pointing out the necessity of character formation in order to gain inspired and theologically valuable insights.

The Joseph story does not seem to be as late as the Daniel narratives in Dan 1–6. It is still developing the intellectual notions of inspired dream interpretation in Daniel. Nevertheless, as a diaspora novella, the Joseph story presupposes the existence of Israelites or Judeans in the diaspora, which leads to a *terminus a quo* of 722 BCE. On the other hand, it cannot be later than the Priestly code. Otherwise, one would expect the Joseph story to create a smoother bridge between the Genesis and the Exodus

19. Michael V. Fox, “Wisdom in the Joseph Story,” VT 51 (2001): 40.

traditions than it currently does. One can point out merely the divergent depictions of Pharaoh and the Israelites in Gen 37–50 versus Exod 1–15 and the narrative undoing of the Joseph story in Exod 1:6–8. The connection between Genesis and Exodus is, by contrast, firmly established by the Priestly code. Why would the Joseph story create narrative difficulties if it were a post-P insertion?

This leaves us with a *terminus ante quem* in the late Neo-Babylonian or, more likely, early Persian period. Since the Joseph story's final passages focus on the cohesion of all the twelve tribes of Israel, it is more plausible to date it after 587 BCE than between 722 and 587 BCE, but this issue remains open to debate.²⁰

However, how to date the Joseph story is much less important than analyzing and understanding its basic thoughts and theological sophistication. Nevertheless, it can help to recognize the historical framework of its ideas and thus gain an even better and deeper understanding of its ideas.

20. See Römer "Joseph Story," 189–95 for an overview. Römer opts for a post-P date, whereas Blum and Weingart, "Joseph Story" argue for an earlier setting in the eighth century BCE.

Part 5
The Moses Story

Exodus in the Pentateuch

20.1. Introduction

John Durham opens his Exodus commentary with the sentence: “The Book of Exodus is the first book of the Bible.”¹ This is obviously meant as a provocative statement that tries to lay more emphasis on the significance of the book of Exodus than on its placement after the book of Genesis. Indeed, it is striking that the exodus story introduced by the book of Exodus comprises four of the five books of the Pentateuch and that its foremost hero, Moses, even provides the name for the overall narrative in later Jewish and Christian tradition as the “Torah of Moses” or the “Five Books of Moses,” even though these titles also include the book of Genesis.

In terms of the narrative logic, the story beginning in the book of Exodus seems to continue into (at least) the book of Joshua, as the exodus from Egypt finds its logical completion in the *eisodos* into the promised land presented in the book of Joshua.² The book of Exodus also apparently

1. John J. Durham, *Exodus*, WBC 3 (Waco, TX: Word, 1987), xxix, xxiii. Less provocative, but more correct is Thomas B. Dozeman, *Exodus*, ECC (Grand Rapids: Eerdmans, 2009), 1: “The book of Exodus is the second book in the Hebrew Bible.” Dozeman offers a helpful discussion of the relationships of Exodus with Deuteronomy, Exodus with the Former Prophets, and Exodus with Genesis (10–20). On the historical origins of the book divisions in Genesis–Kings, see Konrad Schmid, *Genesis and the Moses Story: Israel’s Dual Origins in the Hebrew Bible*, Siphut 3 (Winona Lake, IN: Eisenbrauns, 2010), 23–29; cf. also Menachem Haran, “Book-Size and the Thematic Cycles in the Pentateuch,” in *Die Hebräische Bibel und ihre zweifache Nachgeschichte: Festschrift für Rolf Rendtorff*, ed. Erhard Blum, Christian Macholz, and Ekkehard W. Stegemann (Neukirchen-Vluyn: Neukirchener, 1990), 165–76.

2. Wolfgang Oswald, “Die Exodus-Gottesberg-Erzählung als Gründungsurkunde der jüdischen Bürgergemeinde,” in *Law and Narrative in the Bible and in Neighbouring Ancient Cultures*, ed. Klaus-Peter Adam, Friedrich Avemarie, and Nili Wazana, FAT

includes literary elements that anticipate narrative and theological developments reported still later in the book of Kings, most notably the episode of the golden calf (Exod 32), which alludes to and presupposes the account of Jeroboam's installation of the sanctuaries in Bethel and Dan with their calves (1 Kgs 12).³

If one looks for a designation for just the narrative covered by the books of Exodus through Deuteronomy, then it would be best called "Moses's story," since these books match the life of Moses (except for Exod 1).⁴ It is, however, a matter of dispute whether such a story ever existed as an independent literary entity or only formed an episode in a larger work.⁵

2/54 (Tübingen: Mohr Siebeck, 2012), 35–51, esp. 34–36, favors an "Exodus-Gottesberg-Erzählung," reaching from Exod 1–24*. See also his *Israel am Gottesberg: Eine Untersuchung zur Literargeschichte der vorderen Sinaiperikope Ex 19–24 und deren historischem Hintergrund*, OBO 159 (Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 1998), 114–49.

3. See below, §20.6.3. Cf. also the prominent link between Exod 19:3b–8 and 2 Kgs 18:12, see Erik Aurelius, *Zukunft jenseits des Gerichts: Eine redaktionsgeschichtliche Studie zum Enneateuch*, BZAW 319 (Berlin: de Gruyter, 2003). Therefore, it is unwarranted to do pentateuchal studies without addressing Joshua–Kings; see Konrad Schmid, "The Emergence and Disappearance of the Separation between the Pentateuch and the Deuteronomistic History in Biblical Studies," ch. 4 in the present volume, repr. from *Pentateuch, Hexateuch, or Enneateuch? Identifying Literary Works in Genesis through Kings*, ed. Thomas B. Dozeman, Konrad Schmid, and Thomas Römer, AIL 8 (Atlanta: Society of Biblical Literature, 2011), 11–24.

4. See, e.g., David M. Carr, "Genesis in Relation to the Moses Story: Diachronic and Synchronic Perspectives," in *Studies in the Book of Genesis: Literature, Redaction and History*, ed. André Wénin, BETL 155 (Leuven: Peeters, 2001), 293–95; Carr, "The Moses Story: Literary-Historical Reflections," *HBAI* 1 (2012): 7–36; Eckart Otto, *Mose: Geschichte und Legende* (Munich: Beck, 2006); Schmid, *Genesis and the Moses Story*. See also John Van Seters, *The Life of Moses: The Yahwist as Historian in Exodus–Numbers* (Louisville: Westminster John Knox, 1994).

5. See the considerations about a *vita Mosis*, e.g., in Erhard Blum, *Studien zur Komposition des Pentateuch*, BZAW 189 (Berlin: de Gruyter, 1990), 208–18; and Thomas Römer, "Transformations in Deuteronomistic and Biblical Historiography: On 'Book-Finding' and Other Literary Strategies," *ZAW* 109 (1997): 1–11. For a different approach see Graham I. Davies, "The Composition of the Book of Exodus: Reflections on the Theses of Erhard Blum," in *Texts, Temples, and Traditions: A Tribute to Menahem Haran*, ed. Michael V. Fox et al. (Winona Lake, IN: Eisenbrauns, 1996), 71–85. For methodological considerations about determining the extent of a literary work, see Erhard Blum, "Pentateuch—Hexateuch—Enneateuch? Or: How Can One Recognize a Literary Work in the Hebrew Bible?" in Dozemann, Römer, and Schmid, *Pentateuch, Hexateuch, or Enneateuch?*, 43–71, esp. 54–57; trans. of "Pentateuch–

Regarding the prominence of the exodus motif, it is also evident from a wider biblical perspective that it is much more significant and prominent in the Hebrew Bible than the primeval or patriarchal traditions from the book of Genesis. In the narrative books following the Pentateuch, there are many allusions to the exodus (see, e.g., Josh 2:8–11; 5:1; 9:9; 24:2–8; Judg 2:1, 11; 6:8–9; 10:11; 11:13; 19:30; 1 Sam 4:8; 6:6; 8:8; 10:18; 12:6; 15:2; 2 Sam 7:6; 1 Kgs 8:16, 51; 9:9; 2 Kgs 17:7, 36).⁶ Other traditions of the Hebrew Bible, especially the book of Psalms, also place more weight on the exodus motif than on the Genesis traditions.⁷

In light of these basic observations, it seems odd that the last hundred years of critical scholarship has interpreted the book of Exodus primarily within the framework of the Documentary Hypothesis. This approach prompted scholars to perceive the texts in Exodus foremost as elements of narrative threads identified as the sources J, E, and P that started before the book of Exodus in the book of Genesis. Scholars therefore perceived the book mainly in light of, and as a second act to, the Genesis narratives.⁸ Of course, some acknowledgment of the self-contained nature of the exodus tradition was conceded within the documentary approach as well, but this was usually relegated to the stages of its oral prehistory. Especially Martin Noth in his *Überlieferungsgeschichte des Pentateuch* identified the exodus theme as one of the larger blocks of the Pentateuch that was originally independent—at least on a conceptual level.⁹ In fact, he considered it the most preeminent theme of the Pentateuch, but he

Hexateuch–Enneateuch? Oder: Woran erkennt man ein literarisches Werk in der Hebräischen Bibel?” in *Textgestalt und Komposition: Exegetische Beiträge zu Tora und Vordere Propheten*, FAT 69 (Tübingen: Mohr Siebeck, 2010), 375–404, esp. 387–90.

6. See also Uwe Becker, “Das Exodus-Credo: Historischer Haftpunkt und Geschichte einer alttestamentlichen Glaubensformel,” in *Das Alte Testament—ein Geschichtsbuch?! Geschichtsschreibung oder Geschichtsüberlieferung im antiken Israel*, ed. Uwe Becker and Jürgen van Oorschot, ABIG 17 (Leipzig: Evangelische Verlagsanstalt, 2005), 81–100.

7. See the assessment in Schmid, *Genesis and the Moses Story*, 69–80.

8. Mutatis mutandis, this is also true for Genesis; see Konrad Schmid, “Genesis in the Pentateuch,” ch. 13 in this volume.

9. Martin Noth, *Überlieferungsgeschichte des Pentateuch* (Stuttgart: Kohlhammer, 1948), trans. as *A History of Pentateuchal Traditions*, trans. with introduction by Bernard W. Anderson, Scholars Press Reprint 5 (Chico, CA: Scholars Press, 1981); see also Udo Rüterswörden, ed., *Martin Noth—aus der Sicht der heutigen Forschung*, BThSt 58 (Neukirchen-Vluyn: Neukirchener Verlag, 2004).

went on to argue that already the alleged source G, from which J and E drew, had combined the different themes of the Pentateuch in a comprehensive narrative—Noth left open the question of whether this was an oral or written source.¹⁰

Why was the Documentary Hypothesis and the interpretation of the book of Exodus that followed from it so dominant?¹¹ This probably resulted from two main factors. First, it seemed reasonable to identify the same basic sources in Genesis and Exodus because the observations leading to the source division were similar in these two books: there were doublets, contradictions, and the alternation between YHWH and Elohim. Second, Gerhard von Rad's 1938 hypothesis of the great antiquity of the so-called historical creed in Deut 26:5–9 seemed to corroborate this view: J, E, and P were not inventors of the hexateuchal scope of Israel's salvation history. Instead, they merely adapted a quite traditional creedal position that itself relied on corresponding historical realities.¹² In other words, this period of scholarship definitely viewed Genesis as the first book of the Bible.

Both factors, however, have lost much of their plausibility in the past forty years, at least in the eyes a considerable group of scholars who no longer assume that the Documentary Hypothesis is a safe starting point for the exegesis of the Pentateuch (to be sure, it might be a possible result,

10. Noth, *Überlieferungsgeschichte des Pentateuch*, 2.

11. The commentaries of Martin Noth, *Das zweite Buch Mose: Exodus, übersetzt und erklärt*, ATD 5 (Göttingen: Vandenhoeck & Ruprecht, 1959); trans. as *Exodus: A Commentary*, trans. John S. Bowden, OTL (Philadelphia: Westminster, 1962), Josef Scharbert, *Exodus*, NEchtB 24 (Würzburg: Echter, 1989); William H. C. Propp, *Exodus: A New Translation with Introduction and Commentary*, AB 2–2A (New York: Doubleday, 1999–2006), follow this approach, as does Werner H. Schmidt, *Exodus 1, 1–6, 30*, BKAT 2.1 (Neukirchen-Vluyn: Neukirchener Verlag, 1988), whose Exodus commentary, however, is not yet completed. A helpful summary of these approaches is offered by Peter Weimar, “Exodusbuch,” *NBL* 1:636–48. Recent commentaries often take a different approach, cf. Christoph Dohmen, *Exodus 19–40*, HThKAT (Freiburg im Breisgau: Herder, 2004), Dozeman, *Exodus*; Georg Fischer and Dominik Markl, *Exodus*, NSK.AT 2 (Stuttgart: Katholisches Bibelwerk, 2009); Helmut Utzschneider and Wolfgang Oswald, *Exodus 1–15*, IECOT (Stuttgart: Kohlhammer, 2013).

12. See Gerhard von Rad, “The Form-Critical Problem of the Hexateuch,” in *The Problem of the Hexateuch and Other Essays*, trans. E. W. Trueman Dicken (London: SCM, 1984), 1–78; trans. of “Das formgeschichtliche Problem des Hexateuch,” in *Gesammelte Studien zum Alten Testament*, 2 vols., TB 8 and 48 (Munich: Kaiser, 1958–1973), 9–86.

but it cannot be a given presupposition).¹³ Regarding the first point, even pioneers of the Documentary Hypothesis like von Rad noticed that the results of the analysis of the book of Genesis unwisely dominated the exegesis of the Pentateuch.¹⁴ Noth even admits openly in the preface to his commentary on Numbers that he would not have interpreted the book in terms of the Documentary Hypothesis if he had focused on that book alone:

If we were to take the book of Numbers on its own, then we would think not so much of “continuing sources” as of an unsystematic collection of innumerable pieces of very varied content, age and character (“Fragment Hypothesis”).... It is, therefore, justifiable to approach the book of Numbers with the results of Pentateuchal analysis elsewhere and to expect the continuing Pentateuchal “sources” here, too, even if, as we

13. See, e.g., Rolf Rendtorff, *Das überlieferungsgeschichtliche Problem des Pentateuch*, BZAW 147 (Berlin: de Gruyter, 1977); trans. as *The Problem of the Process of Transmission in the Pentateuch*, JSOTSup 89 (Sheffield: Sheffield Academic); Erhard Blum, *Die Komposition der Vätergeschichte*, WMANT 57 (Neukirchen-Vluyn: Neukirchener Verlag, 1984); Reinhard Kratz, *The Composition of the Narrative Books of the Old Testament*, trans. John Bowden (London: T&T Clark, 2005); trans. of *Die Komposition der erzählenden Bücher des Alten Testaments*, UTB 2157 (Göttingen: Vandenhoeck & Ruprecht, 2000); Eckart Otto, *Das Gesetz des Mose* (Darmstadt: Wissenschaftliche Buchgesellschaft, 2007); Schmid, *Genesis and the Moses Story*; Schmid, “Genesis in the Pentateuch”; Christoph Berner, *Die Exoduserzählung: Das literarische Werden einer Ursprungserzählung Israels*, FAT 73 (Tübingen: Mohr Siebeck, 2010); recent defenses of the Documentary Hypothesis are offered, e.g., by Ludwig Schmidt, “Im Dickicht der Pentateuchforschung: Ein Plädoyer für die umstrittene Neuere Urkundenhypothese,” *VT* 60 (2010): 400–20; Joel S. Baden, *The Composition of the Pentateuch: Renewing the Documentary Hypothesis* (New Haven: Yale University Press, 2012). For surveys on the present state of scholarship see Georg Fischer, “Zur Lage der Pentateuchforschung,” *ZAW* 115 (2003): 608–16; Thomas Römer, “Hauptprobleme der gegenwärtigen Pentateuchforschung,” *TZ* 60 (2004): 289–307; Römer, “La formation du Pentateuque: histoire de la recherche,” in *Introduction à l'Ancien Testament*, ed. Thomas Römer, Jean-Daniel Macchi, and Chirstophe Nihan, MdB 49 (Geneva: Labor et Fides, 2004), 67–84; and Römer, “Zwischen Urkunden, Fragmenten und Ergänzungen: Zum Stand der Pentateuchforschung,” *ZAW* 125 (2013): 2–24. See also the contributions in *The Pentateuch: International Perspectives on Current Research*, ed. Thomas B. Dozeman, Konrad Schmid, and Baruch J. Schwartz, FAT 78 (Tübingen: Mohr Siebeck, 2011).

14. Gerhard von Rad, “Beobachtungen an der Moseerzählung Exodus 1–14,” *EvT* 31 (1971): 579–88.

have said, the situation in Numbers, of itself does not exactly lead us to these results.¹⁵

Regarding the second factor, it has become widely accepted that texts such as Deut 26:5–9 are not traditional pieces from early times but later theological syntheses that even seem to presuppose the Priestly texts in the Pentateuch.¹⁶

Only the Priestly document still enjoys broad acceptance in global biblical scholarship. This hypothesis—it is still a theory, no more and no less—seems to be sufficiently well grounded, as the Priestly texts show both a specific language and an identifiable theological perspective, although there is some debate regarding its literary nature (source or redaction) and its original end.¹⁷

The Pentateuch shows clear signs of literary growth before and—what had often been neglected—after P,¹⁸ but serious doubts regarding the traditional description and evaluation of the pre-Priestly history of the Pentateuch have arisen. In current scholarship, the J and E sources can no longer be taken for granted as safe starting points for pentateuchal criticism. Therefore, I will start the discussion of the place of the exodus story within the Pentateuch by addressing P and then move to the more disputed non-Priestly elements.

15. Martin Noth, *Numbers: A Commentary*, trans. James D. Martin, OTL, (London: SCM, 1968), 4–5; trans. of *Das vierte Buch Mose: Numeri*, ATD 7 (Göttingen: Vandenhoeck & Ruprecht, 1966).

16. See, e.g., Jan C. Gertz, “Die Stellung des kleinen geschichtlichen Credos in der Redaktionsgeschichte von Deuteronomium und Pentateuch,” in *Liebe und Gebot: Studien zum Deuteronomium*, ed. Reinhard G. Kratz and Hermann Spieckermann, FRLANT 190 (Göttingen: Vandenhoeck & Ruprecht, 2000), 30–45.

17. For further details and bibliography, see “How to Identify a Persian-Period Text in the Pentateuch,” ch. 12 in this volume, esp. nn. 36–37.

18. See, e.g., Eckart Otto, “Forschungen zum nachpriesterschriftlichen Pentateuch,” *TRu* 67 (2002): 125–55; Reinhard G. Kratz, “Der vor- und der nachpriesterschriftliche Hexateuch,” in *Abschied vom Jahwisten: Die Komposition des Hexateuch in der jüngsten Diskussion*, ed. Jan C. Gertz, Konrad Schmid, and Markus Witte, BZAW 315 (Berlin: de Gruyter, 2002), 295–323, see also the contributions in Thomas Römer and Konrad Schmid, eds., *Les dernières rédactions du Pentateuque, de l’Hexateuque et de l’Ennéateuque*, BETL 203 (Leuven: Leuven University Press, 2007).

20.2. The Priestly Layer in Exodus and Its Interconnections within the Pentateuch

20.2.1. Priestly Links to Genesis

Within the book of Exodus, the Priestly texts are especially prominent and extensive in the second half of the book. The instructions regarding the construction of the sanctuary (Exod 25–31) and the building report (Exod 35–40) are part of P (or its expansions). But P is also a prominent textual layer in Exod 1–24 and provides the basic structure for the exodus narrative as a whole.¹⁹ At the same time, it is clear that P's exodus story is not a self-standing narrative. It presupposes and takes up P's story line from Genesis, revealing very clear and undisputable links to Genesis texts.

One example can be found in Exod 1:7 (“But the Israelites *were fruitful and prolific*; they *multiplied* and grew exceedingly strong, so that *the land was filled* with them”), a verse that is strongly reminiscent of several key passages from Genesis, all of which belong to P (Gen 1:28; 9:1). Exodus 1:7 also uses the root שרץ “to be prolific” or “to swarm,” which the Bible normally only applies to animals, especially to insects. The only other instance in the Bible where שרץ applies to human beings is Gen 9:7 (“Be fruitful and multiply and *be prolific*, and fill the earth”). This suggests that Exod 1:7 not only reflects upon Gen 1:28 and 9:1, but also on Gen 9:7. Why? In Gen 9:7, the root שרץ is probably used to stress the almost explosive multiplication of humans after the flood because only one chapter later, in Gen 10, the wide-reaching Table of Nations reporting the populating of the earth implies that the earth must already be fully populated.²⁰ The use of שרץ in Exod 1:7 has a similar function: in Exod 1:5 the family of Jacob, comprising no more than seventy persons, is reported to have immigrated to Egypt. In the immediate context of P, this family needs to have multiplied

19. Peter Weimar, *Untersuchungen zur priesterschriftlichen Exodusgeschichte*, FB 9 (Würzburg: Echter, 1973); Thomas Römer, “The Exodus Narrative according to the Priestly Document,” in *The Strata of the Priestly Writings: Contemporary Debate and Future Directions*, ed. Sarah Shectman and Joel S. Baden, ATANT 95 (Zurich: TVZ, 2009), 157–74; Rainer Albertz, *Exodus 1–18*, ZBK 2.1 (Zurich, TVZ: 2012), 50–52; regarding the narrative cohesion of Exod 1–24, cf. also the proposal of Oswald, “Die Exodus-Gottesberg-Erzählung.”

20. Bernard Gosse, “Transitions rédactionnelles de l’histoire des clans à l’histoire des peuples en Ex 1,7; 2,24b,” *EstB* 51 (1993): 163–70; Gosse, “Moïse entre l’alliance des patriarches et celle du Sinaï,” *SJOT* 11 (1997): 3–15, esp. 4.

into a full-blown nation by the next verses (Exod 1:13–14). The Priestly document apparently saw a biological problem here, which it solves by introducing the root שרץ. This term indicates that the sudden increase of the Israelite people in Exod 1 results from extraordinary divine agency.

Another strong link from Exodus to Genesis is provided in P by Exod 6:2–3.²¹ This text explicitly refers back to passages like Gen 17:1; 28:3; and 35:11; and explains why God appeared as El Shaddai to the ancestors in Genesis, but now to Moses and his generation as YHWH. While it is clear that Exod 6:3 links the Priestly Genesis material to the Priestly exodus story, it nevertheless becomes evident from this passage that P is also combining two traditions with different accentuations in its single overall account, as I have discussed elsewhere.²²

A third example of how Priestly Genesis and Exodus texts are connected appears in Exod 14:22: “The Israelites went into the sea *on dry ground*, the waters forming a wall for them on their right and on their left.” In the crossing of the sea, the Israelites went on dry ground, in Hebrew: בישבה. The term ישבה only appears once in the Priestly document before Exod 14:22. This is the statement in Gen 1:9, in the Priestly account of the creation: “And God said, ‘Let the waters under the sky be gathered together into one place, and let *the dry ground* appear.’ And it was so.” In the miracle at the Sea of Reeds something similar to the third day of creation happens: the dry ground can be seen. The Priestly document apparently intends the presentation of this miracle to emerge from the same mold as the creational activity of God during the very first days of creation.²³ In addition, the wording of Exod 14:28a also shows a similar affiliation with God’s activity during the flood: “*The waters* returned and *covered* [ויכסו] the chariots and the chariot drivers, the entire army of Pharaoh that had followed them into the sea.” Within the Priestly narrative, this statement bears literary similarities to the covering of the earth by the waters of the flood in Gen 7:19–20: “*The waters* swelled so mightily on the earth that all the high mountains under the whole heaven were *covered* [ויכסו]; fifteen cubits deep *the waters* swelled, and the mountains were *covered* [ויכסו].”

21. See W. Randall Garr, “The Grammar and Interpretation of Exodus 6:3,” *JBL* 111 (1992): 385–408.

22. See Schmid, *Genesis and the Moses Story*.

23. See Konrad Schmid, “The Quest for ‘God’: Monotheistic Arguments in the Priestly Texts of the Hebrew Bible,” in *Reconsidering the Concept of Revolutionary Monotheism*, ed. Beate Pongratz-Leisten (Winona Lake, IN: Eisenbrauns, 2011), 271–89.

The destruction of the Egyptian army in the sea is tantamount to the eradication of the sinful creatures during the flood. Erasing the Egyptian army therefore concerns another element in the establishment of God's creational world order (which might reflect a date for P slightly before 525 BCE, before the Persian conquest of Egypt by Cambyses: P seems to reflect the peaceful world order of the Persian Empire at a point in time that it includes the whole ancient world—except for Egypt).²⁴

A final example pertains to the close links between the end of P's creation account in Gen 2:1–3 and the completion of the sanctuary in Exod 39–40:²⁵

Gen 1:31–2:3: “God *saw* everything that he had made, and *indeed*, it was very good.... Thus the heavens and the earth *were finished*, and all their multitude. And on the seventh day God *finished* the *work* that he had done.... So God *blessed* the seventh day.”

Exod 39:43a: “When Moses *saw* that they had done all the work *just as* YHWH had commanded, he blessed them.”

Exod 39:32a: “In this way all the work of the tabernacle of the tent of meeting *was finished*.”

Exod 40:33b: “So Moses *finished* the *work*.”

Exod 39:43b: “[Moses] *blessed* them.”

24. Cf. Albert de Pury, “P^s as the Absolute Beginning,” in *Les dernières rédactions du Pentateuque, de l'Hexateuque et de l'Ennéateuque*, ed. Thomas Römer and Konrad Schmid, BETL 203 (Leuven: Peeters, 2007), 123–28; repr., *Die Patriarchen und die Priesterschrift: Les Patriarches et le document sacerdotal; Gesammelte Studien zu seinem 70. Geburtstag; Recueil d'articles, à l'occasion de son 70e anniversaire*, ed. Jean-Daniel Macchi, Thomas Römer, and Konrad Schmid, ATANT 99 (Zurich:TVZ, 2010), 13–42. On the Persian setting of P see further Jacobus G. Vink, “The Date and the Origin of the Priestly Code in the Old Testament,” in *The Priestly Code and Seven Other Studies*, ed. Jacobus G. Vink, OTS 52 (Leiden: Brill, 1969), 61; Ernst Axel Knauf, “Die Priesterschrift und die Geschichten der Deuteronomisten,” in *The Future of the Deuteronomistic History*, ed. Thomas Römer, BETL 147 (Leuven: Peeters, 2000), 104–105; Christoph Nihan, *From Priestly Torah to Pentateuch: A Study in the Composition of the Book of Leviticus*, FAT 2/25 (Tübingen: Mohr Siebeck, 2006), 383.

25. See Peter Weimar, “Sinai und Schöpfung: Komposition und Theologie der priesterschriftlichen Sinaigeschichte,” in *Studien zur Priesterschrift*, FAT 56 (Tübingen: Mohr Siebeck, 2008), 269–317, see also Bernd Janowski, “Tempel und Schöpfung: Schöpfungstheologische Aspekte der priesterschriftlichen Heiligtumskonzeption,” *JBTh* (1990): 37–69; repr., *Gottes Gegenwart in Israel: Beiträge zur Theologie des Alten Testaments* (Neukirchen-Vluyn: Neukirchener Verlag, 1993), 214–46.

Creation apparently only comes to an end with the creation of the sanctuary (which in itself can be characterized as a “creation within creation”).²⁶

More examples of cross-references between P texts in Genesis and Exodus could be added. Nevertheless, it is sufficiently clear that P provides some of the most prominent links between these two textual blocks.

The connections between the Genesis and Exodus materials in P follow a certain logic and are embedded in an overarching structure. For P there is a specific relation between the “world cycle” (Gen 1–9) and the “Abrahamic cycle” (Gen 11–Exod 1) in Genesis, and the “Israel cycle” (Exod 1–40) in Exodus. There is a concentric theological organization of the world in which the creator God is Elohim for the world (Gen 9:1), El Shaddai for the Abrahamic people (17:1), and YHWH for Israel (Exod 6:2). This logic highlights the prominence of the Exodus material within P (as is also evident from the *inclusio* between Gen 2:1–3 and Exod 39–40 shown above and the elaborate nature of the narrative in Exod 25–31 and 35–40).²⁷

20.2.2. Links in the Priestly Tradition to Leviticus and Numbers

If one follows Thomas Pola, Reinhard Kratz, and others in determining the end of the original Priestly document in Exod 40,²⁸ then no further literary links to the subsequent context are to be assumed.²⁹ Nevertheless, it is common to see the Priestly literature as a multilayered textual body comprising several updates to the original Priestly document before it was combined with other non-Priestly materials in the Pentateuch.³⁰ It is not possible to discuss this problem here in detail; I can only single out some

26. See Blum, *Komposition des Pentateuch*, 289–332, esp. 311.

27. For a fuller discussion, see Konrad Schmid, “Judean Identity and Ecumenicity: The Political Theology of the Priestly Document,” ch. 24 in this volume.

28. Thomas Pola, *Die ursprüngliche Priesterschrift: Beobachtungen zur Literarkritik und Traditionsgeschichte von Pg*, WMANT 70 (Neukirchen-Vluyn: Neukirchener Verlag, 1995); Kratz, *Composition*, 100–114.

29. See the discussion in Andreas Ruwe, “The Structure of the Book of Leviticus in the Narrative Outline of the Priestly Sinai Story (Exod 19:1–Num 10:10*),” in *The Book of Leviticus: Composition and Reception*, ed. Rolf Rendtorff and Robert A. Kugler, VTSup 93 (Leiden: Brill, 2003), 55–78.

30. See Shectman and Baden, *Strata of the Priestly Writings*; and Schmid, “Genesis in the Pentateuch,” 257 nn. 35–36, in this volume.

important connections between Exodus and the following books in the Priestly layer(s) in broader terms.

First of all, Lev 1:1 (וִיקְרָא) seems to take up Exod 24:16 (וִיקְרָא) and “makes plain that Yahweh’s commanding and providing were not just mediated through Moses in forty days at the top of the holy mountain—God could and did continue to ‘convoke’ and ‘proclaim’ from within the new shrine.”³¹

Leviticus 1–9 provides an especially close link to Exod 25–40: the establishment of the sanctuary is followed by the instructions for sacrifices (Lev 1–7) and the beginning of the sacrificial cult. Erich Zenger, for instance, has argued that P would not be complete without the account of the start of the sacrificial cult, and he therefore proposed Lev 9:23–24 as the original end of P.³² At any rate, the connection between Lev 1–9 and the preceding Priestly material in the book of Exodus is obvious enough, be it original or redactional.

The so-called Holiness Code (or Holiness Legislation or H) in Lev 17–26 is also closely related to the laws in the book of Exodus.³³ One of the main interests of these texts is to combine profane and cultic laws, possibly in order to stress that there is no basic qualitative difference between them. This emphasis emerges from the “decatalogue-like” subtext of Lev 17–26 (see, e.g., Lev 19:3–4, 11–18): the regulations in H include manifold allusions to the Decalogue.³⁴ In addition, the exhortations to “do” (עֲשֵׂה) and/or to “keep” (שָׁמַר) God’s laws (18:4, 5, 26, 30; 19:19, 37; 20:9,

31. A. Graeme Auld, “Leviticus: After Exodus and before Numbers,” in Rendtorff and Kugler, *Book of Leviticus*, 43. For a comparison between Lev 1:1 and Num 1:1, see Erich Zenger, “Die Bücher Leviticus und Numeri als Teile der Pentateuchkomposition,” in *The Books of Leviticus and Numbers*, ed. Thomas Römer, BETL 215 (Leuven: Peeters, 2008), 53–55.

32. Erich Zenger, *Einleitung in das Alte Testament*, 8th ed., KStTh 1.1 (Stuttgart: Kohlhammer, 2012), 199. Zenger hints at links such as Gen 17:3, 17/Lev 9:24 or Exod 16:2, 7–8/Lev 9:24. See also the chronological notice in Lev 9:1 that links up with Exod 19:1–2, 40:17 (Ruwe, “Structure,” 61). Regarding Zenger, see the discussion in Thomas Römer, “De la périphérie au centre: Les livres du Lévitique et des Nombres dans le débat actuel sur le Pentateuque,” in *The Books of Leviticus and Numbers*, ed. Thomas Römer, BETL 215 (Leuven: Peeters, 2008), 16–17.

33. See Jacob Milgrom, *Leviticus 17–22*, AB 3A (New York: Doubleday, 2000), 1319–67, although suggesting a preexilic date for H (which nevertheless presupposes P).

34. Nihan, *From Priestly Torah*, 467, 472, 479–80, 549, 555.

22; 22:31) also have counterparts in the book of Exodus that may have influenced them (cf. Exod 19:5; 23:13).³⁵ The notion of Israel's exodus out of Egypt is also of crucial significance for H's theological understanding, as Frank Crüsemann especially has stressed.³⁶ In H Israel is not defined by its land—the land is God's possession (Lev 25:23)—but rather by its status as God's people brought out of Egypt.

Vice versa, there are also texts in the book of Exodus that pave the way for specific regulations found in Lev 17–26. Some scholars attribute them to H as well. Exodus 12:14–20, for instance, is aware of and anticipates Lev 23:5–8 in order to combine P's legislation on the Passover (Exod 12:1–13) with the celebration of the Unleavened Bread and align it with H's calendar.³⁷ Another such passage is found in the Sabbath legislation in Exod 31:12–17, which shows close proximity with Lev 17–26 both in terminological and theological respects.³⁸

Some of the closest links to P texts in the books of Exodus (but also in Genesis) appear in the blessings portion of the Holiness Code in Lev 26. As Norbert Lohfink has pointed out, Lev 26:9, 11–13 adopts central promises from Priestly texts such as Gen 17; Exod 6:2–8; and Exod 29:45–46.³⁹

35. Nihan, *From Priestly Torah*, 548.

36. Frank Crüsemann, "Der Exodus als Heiligung: Zur rechtsgeschichtlichen Bedeutung des Heiligkeitgesetzes," in *Die Hebräische Bibel und ihre zweifache Nachgeschichte*, ed. Erhard Blum, Christian Macholz, and Ekkehard W. Stegemann (Neukirchen-Vluyn: Neukirchener Verlag, 1990), 117–29; cf. Nihan, *From Priestly Torah*, 557.

37. Nihan, *From Priestly Torah*, 565; see also, with further distinctions, Shimon Gesundheit, *Three Times a Year: Studies on Festival Legislation in the Pentateuch*, FAT 82 (Tübingen: Mohr Siebeck, 2012), 76–89.

38. Nihan, *From Priestly Torah*, 565–67, see Walter Gross, "'Rezeption' in Ex 31,12–17 und Lev 26,39–45: Sprachliche Form und theologisch-konzeptionelle Leistung," in *Rezeption und Auslegung im Alten Testament und in seinem Umfeld: Ein Symposium aus Anlass des 60. Geburtstags von Odil Hannes Steck*, ed. Reinhard G. Kratz and Thomas Krüger, OBO 153 (Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 1997), 45–64.

39. Norbert Lohfink, "Die Abänderung der Theologie des priesterlichen Geschichtswerks im Segen des Heiligkeitgesetzes: Zu Lev. 26,9.11–13," in *Studien zum Pentateuch*, SBAB 4 (Stuttgart: Katholisches Bibelwerk, 1988), 157–68, see also Christophe Nihan, "The Priestly Covenant, Its Reinterpretation, and the Composition of 'P,'" in Shectman and Baden, *Strata of the Priestly Writings*, 89–115, esp. 104–15. A different interpretation is given by Jeffrey Stackert, "Distinguishing Innerbiblical Exegesis from Pentateuchal Redaction: Leviticus 26 as a Test Case," in Dozeman, Schmid,

However, Lev 26 reorients them by integrating them in the concluding blessings/curses section of the Holiness Code, which is introduced by “if you follow my statutes and keep my commandments and observe them faithfully” (Lev 26:3). Thus their fulfillment is made dependent on obedience to the law, which amounts to a certain “Deuteronomization” of Priestly theology.

Gen 17:6–7: “I will make you exceedingly **fruitful**; and I will make nations of you, and kings shall come from you. I will establish my covenant between me and you, and your offspring after you throughout their generations, for an everlasting covenant, to be God to you and to your offspring after you.”

Exod 6:4–7: “I also established my covenant with them ... I will free you from the burdens of the Egyptians and deliver you from slavery to them. I will redeem you with an outstretched arm and with mighty acts of judgment. I will take you as my people, and I will be your God. You shall know that **I am YHWH your God, who has freed you from the burdens of the Egyptians.**”

Exod 29:45–46: “*I will dwell among the Israelites, and I will be their God.* And they shall know that **I am YHWH their God, who brought them out of the land of Egypt** *that I might dwell among them*; I am YHWH their God.”

Lev 26:3, 9–13: “If you follow my statutes and keep my commandments and observe them faithfully, ... I will look with favor upon you and make you **fruitful** and multiply you; and I will maintain my covenant with you... *I will place my dwelling in your midst*, and I shall not abhor you. *And I will walk among you, and will be your God, and you shall be my people.* **I am YHWH your God who brought you out of the land of Egypt**, to be their slaves no more; I have broken the bars of your yoke and made you walk erect.”

The Priestly laws in the book of Numbers seem to have a different, though special affiliation with the book of Exodus. The legal sections of Numbers seem especially to include laws that constitute, in diachronic terms, addi-

and Schwartz, *Pentateuch*, 369–86, see esp. 376, who interprets Lev 26 as a supplement only to P and no connection to D or other non-Priestly sources in the Pentateuch. This approach is consistent with a preexilic dating of H.

tions to the laws given at Sinai.⁴⁰ The Sinai pericope had apparently already been closed at a specific point in the formation of the Pentateuch, and additional laws needed to be allocated to a different location than Mount Sinai.⁴¹ Erhard Blum and Christophe Nihan have pointed out that Num 1–10 are to be understood as a complement to Exod 25–40 rather than to Leviticus. This insight might, accordingly, hint to the diachronic order of these texts.⁴² At any rate, there are close links both in terms of narrative continuity and supplementation of legal materials between Exodus and Numbers. These links demonstrate the interconnectedness of P's exodus story with Priestly material in the subsequent books, although the Priestly texts in Numbers should probably be seen as additions to the original P document.⁴³

20.3. A Pre-Priestly Moses Story?

20.3.1. Genesis and the Moses Story as the Two Main Constituents of the Pentateuch

Even viewed synchronically, the most decisive break within the Pentateuch's narrative flow takes place between Genesis and Exodus–Deuteronomy, not between Numbers and Deuteronomy.⁴⁴ The narrative from Exodus

40. For the notion of Sinai as a desert and as a mountain in P and post-P, see Konrad Schmid, "Sinai and the Priestly Document," ch. 25 in this volume.

41. See Thomas Römer, "Das Buch Numeri und das Ende des Jahwisten: Anfragen zur 'Quellenscheidung' im vierten Buch des Pentateuch," in Gertz, Schmid, and Witte, *Abschied vom Jahwisten*, 215–31, see also Römer, "De la périphérie au centre: Les livres du Lévitique et des Nombres dans le débat actuel sur le Pentateuque," in Römer, *The Books of Leviticus and Numbers*, 3–34, esp. 22–32. Notable evidence for a late dating of at least prominent portions of Numbers is provided by Hans-Peter Mathys, "Numeri und Chronik: Nahe Verwandte," in Römer, *The Books of Leviticus and Numbers*, 555–78.

42. Blum, *Komposition des Pentateuch*, 301–305; Nihan, *From Priestly Torah*, 72–75.

43. Cf. Reinhard Achenbach, *Die Vollendung der Tora: Studien zur Redaktionsgeschichte des Numeribuches im Kontext von Hexateuch und Pentateuch*, BZABR 3 (Wiesbaden, Harrassowitz, 2003).

44. See the discussion in Dozeman, *Exodus*, 18–20; and also Ehud Ben Zvi, "The Closing Words of the Pentateuchal Books: A Clue for the Historical Status of the Book of Genesis within the Pentateuch," *BN* 62 (1992): 7–11. For the problem of the book division see n. 1, above.

through Deuteronomy is bound together as a presentation of the life of Moses, framed by the reports of his birth (Exod 2) and his death (Deut 34), covering the 120 years of his life.

It is quite likely that this synchronic caesura is also relevant for diachronic analysis, and virtually all scholars engaged in the historical interpretation of the Pentateuch assume a certain independence of the exodus story and maintain that the underlying exodus tradition once was an independent narrative entity that was not originally introduced by any of the material now extant in the book of Genesis. This conclusion was also accepted by early critical scholars such as Hugo Gressmann and Hermann Gunkel.⁴⁵

The question, however, is whether this independence is only to be posited for the oral prehistory of the material now preserved in the Pentateuch, or whether there was once a written exodus story that was not introduced by material from Genesis. Noth left open the question of whether the basis of J and E, which he termed G (for *Grundlage*), was oral or written.⁴⁶ More important to him was the aspect that there were clear, conceptual precursor stages to J and E that were different in shape and profile than these later sources.⁴⁷

Noth discussed these so-called major themes of the Pentateuch, which G had already joined into a narrative sequence, in the main section of *Überlieferungsgeschichte des Pentateuch* in order of their importance, starting with the exodus from Egypt, not with the patriarchs. Noth was, therefore, of the opinion that the independence of the major themes should be relegated to the oral stages of the transmission. Yet he would not have conceded

45. Hugo Gressmann, *Mose und seine Zeit: Ein Kommentar zu den Mose-Sagen*, FRLANT 18 (Göttingen: Vandenhoeck & Ruprecht, 1913), 5; Hermann Gunkel, "Mose," RGG² 5:230–37; see most recently Carr, "Moses Story," 7–36.

46. See n. 8, above, and Noth, *Überlieferungsgeschichte des Pentateuch*, 41: "The question of whether in writing or orally can hardly be answered with any degree of certainty, but it is also not so important in terms of tradition" ("Die Frage, ob schriftlich oder mündlich, ist kaum noch mit einiger Sicherheit zu beantworten, aber auch überlieferungsgeschichtlich nicht so belangreich").

47. Noth, *Überlieferungsgeschichte des Pentateuch*, 41: "But the fact itself is very important, since it allows a stage of becoming, which precedes the writing of the source writings J and E, to come into sufficiently visible appearance" ("Die Tatsache selbst aber ist sehr wichtig, da sie ein der Abfassung der Quellschriften J und E vorausliegendes Stadium im Werden in hinreichend sichtbare Erscheinung treten lässt").

that this diminishes the significance of their original self-contained nature and the importance of the process by which they grew together. Building on Noth, in the present state of pentateuchal scholarship, it is necessary to check at minimum (1) whether the independence of the major themes did extend to significantly later periods than Noth had assumed and (2) whether this independence also occurred in their literary versions as well.

There are indeed strong arguments in favor of affirmative answers to these queries. The analysis of the connections between those major themes shows that these textual links are (1) literary in nature and (2) seem secondary with respect to the textual material they bind together.⁴⁸

This is especially obvious from Exod 1:8 (“Now a new king arose over Egypt, who did not know Joseph”), which is a secondary clamp—that is, a redactional formulation connecting two formerly independent texts.⁴⁹ Exodus 1:8 tries, of course, to mediate between the Joseph story and its positive view on the Egyptian pharaoh, on the one hand, and the Moses story with its very unfavorable image of the pharaoh, on the other.⁵⁰

It also becomes clear from this verse that the Joseph story does not fit smoothly as an introduction to the Moses story, and, vice versa, the Moses story is not a logical continuation of the Joseph story in many respects.

48. See the extended discussion of this in my *Genesis and the Moses Story* and the exchange on this issue between Joel S. Baden, “The Continuity of the Non-Priestly Narrative from Genesis to Exodus,” *Bib* 93 (2012): 161–86, and Konrad Schmid, “Genesis and Exodus as Two Formerly Independent Traditions of Origins for Ancient Israel,” *Bib* 93 (2012): 187–208.

49. See Odil H. Steck, *Old Testament Exegesis: A Guide to Methodology*, 2nd. ed., trans. James D. Nogalski, RBS 39 (Atlanta: Scholars Press, 1998), 54. The original German term is “sekundäre Verklammerungen” (Steck, *Exegese des Alten Testaments: Leitfaden der Methodik*, 14th. ed. [Neukirchen-Vluyn: Neukirchener Verlag, 1999], 54). Joel S. Baden, “From Joseph to Moses: The Narratives of Exodus 1–2,” *VT* 62 (2012): 133–58, esp. 136 n. 5, sees Exod 1:8 as an organic connection between the Joseph story and the exodus story. This is true for the function of the verse in the current form of the story, but not for its diachronic interpretation.

50. Pharaoh is a wise man in the Joseph story, but he has no connection whatsoever to God and does not seem to be in need of such a connection, according to the narrative. Pharaoh in the exodus story is the main antagonist to YHWH (Exod 5:2), and he is actually supposed to acknowledge YHWH. As many scholars have observed, Pharaoh in Exodus is portrayed as an antitype to Cyrus in Deutero-Isaiah (45:3; see Reinhard G. Kratz, *Kyros im Deuterocesaja-Buch: Redaktionsgeschichtliche Untersuchungen zu Entstehung und Theologie von Jes 40–55*, FAT 1 [Tübingen: Mohr Siebeck, 1991], 104 n. 388).

Exodus 1:8 becomes especially plausible as a redactional element that was needed to link together two different, literarily fixed stories to construct an overall account of Israel's history that included both Genesis and Exodus materials.⁵¹

Nevertheless, if this is correct, a basic question arises. Can a self-contained Moses story begin in Egypt without explaining how the Israelites got there? An answer informed by the biblical texts is affirmative. There is no need to postulate an *eisodos* exposition for an exodus story according to texts such as Deut 6:21–23; Ezek 20:5–26; Amos 2:10; Hos 2:17; 11:1–11; 12:10, 14; 13:4; Pss 78:12–72; 106:6–8; 136:10–15. These passages demonstrate that the Hebrew Bible can speak of the origins of the people of Israel in Egypt and the exodus without commenting on how they came to be there. Israel is Israel from Egypt, as many formulaic expressions in the Bible show. To assume that the exodus story is only understandable by referring to the Joseph story is shown to be false on the basis of P as well, which does not have a Joseph story, at least according to the usual delimitations of P in Gen 37–50.⁵²

51. Another important link between the Egypt passages in Gen 37–50 and Exod 1–15 is the mention of the land of Goshen, where the Israelites dwell in Egypt. The overall distribution of the term “Goshen” shows that this name is anchored in the Joseph story (Gen 45:10; 46:28, 34; 47:1, 4, 6, 27; 50:8); there are only two instances in the exodus story (Exod 8:18; 9:26). Especially Exod 9:26 shows that “Goshen” might be a secondary addition in the book of Exodus (see in detail Jan C. Gertz, *Tradition und Redaktion in der Exoduserzählung: Untersuchungen zur Endredaktion des Pentateuch*, FRLANT 186 [Göttingen: Vandenhoeck & Ruprecht, 2000], 124–26): It explains that there was no hail in the land of “Goshen.” However, according to 9:19, the Israelites were saved by means of going into their houses and not by living in a special region of Egypt that could have been spared from the hail. On the contrary, 9:22–25 explicitly states that hail affected “all the land of Egypt” (of which Goshen is a part). The same seems to be the case with 8:18. According to 8:20 the swarms of flies affect “the whole land of Egypt,” so the Israelites seem to be spared while residing among the Egyptians. The swarms enter the houses of the Egyptians and the ground on which they stand (Exod 8:17). The Israelites seem to be spared because they are Israelites, not because they dwell in a specific place.

52. See on this in detail Konrad Schmid, “The So-Called Yahwist and the Literary Gap between Genesis and Exodus,” ch. 8 in this volume. For an interpretation of the P passages in Gen 37–50, see Rüdiger Lux, “Geschichte als Erfahrung, Erinnerung und Erzählung in der priesterschriftlichen Rezeption der Josefsnovelle,” in *Erzählte Geschichte: Beiträge zur narrativen Kultur im alten Israel*, BThSt 40 (Neukirchen-Vluyn: Neukirchener Verlag, 2000), 147–80.

20.3.2. Moses's Birth Story as Beginning of the Moses Story

It is clear that the Moses story, covering the life and times of Moses, starts in the book of Exodus. But where exactly in the book of Exodus does the Moses story begin? This question can be narrowed down to the alternatives of Exod 1, as the beginning of the book, or Exod 2, as the introduction of the figure of Moses into the narrative. Many scholars hold that Moses's birth story in Exod 2 is inconceivable without the genocide narrative in Exod 1: It is Pharaoh's command to kill newborn Hebrew children that motivates the abandonment of Moses in the basket on the Nile. This appears convincing at first sight. Nevertheless, there are some hints in Exod 2:1–10 that support the theory that this story was originally independent and only later combined with the genocide theme in Exod 1.⁵³ First, the wording in Exod 2:1 does not necessarily mean that Moses is the offspring of a marital relationship. The text says that a man from the house of Levi "took" the daughter of Levi, but it does not clarify whether he "took" her "as a wife." Taken together with the fact that Moses's parents remain nameless in Exod 2:1,⁵⁴ which is astonishing for a foundational figure such as Moses, it is plausible to assume that, according to Exod 2:1, Moses is the product of an illegitimate relationship. This interpretation would, in addition, fit the profile of the Sargon birth myth, which stands in the background of Exod 2:1–10. Sargon says that he is the son of an *enitum* priestess, who was not allowed to marry and have children, and he does not know his father. Further hints can be found in the motif of the mother hiding her son for three months before abandoning him because he was in "good" shape. This motif fits much better in a narrative where the mother decides for herself to abandon her son because of his illegitimate birth than in the context of a genocide. Finally, the daughter of Pharaoh

53. See on this Eckart Otto, "Mose und das Gesetz: Die Mose-Figur als Gegenentwurf Politischer Theologie zur neuassyrischen Königsideologie im 7. Jh. v. Chr.," in *Mose: Ägypten und das Alte Testament*, ed. Eckart Otto; SBS 189 (Stuttgart: Katholisches Bibelwerk, 2000), 43–83. In this respect, it is noteworthy that Schmidt in his Exodus commentary was unable to attribute the opening story in Exod 2:1–10 to one of the traditional sources of the Pentateuch, see Schmidt, *Exodus 1–7*, 63–64.

54. It is only P that introduces "Amram" and "Jochebed" as the parent's names in Exod 6:20. By determining Jochebed as Amram's aunt, Exod 6:20 shows clear dependency from Exod 2:1, where a difference in generation regarding Moses's parents can be perceived ("a man from the house of Levi" can be at best a grandson, "the daughter of Levi" is one generation up).

does not seem to know anything about her father's command from Exod 1 when she picks up Moses out of the Nile and raises him like her own child.

Therefore, one may assume that the Moses story originally began with Exod 2, and Exod 1 formulates a later reconceptualization where it is no longer Moses alone who is in danger but the people of Israel as a whole.⁵⁵

20.3.3. The Moses Story and the Book of Joshua

In the present form of the Pentateuch, Israel's sojourn in the wilderness occupies most of the literary presentation in Exodus through Numbers. From Exod 19 to Num 10, Israel does not move from its location at Sinai, and most of the textual material pertaining to this stay consists of the Priestly legislation and its expansions (Exod 25–31; 35–40; Lev; Num 1–10).⁵⁶ Nevertheless, there is reason to believe that the pre-Priestly Moses story, starting with the exodus, did not end at the mountain of God but included, given the push of the narrative flow toward this goal, an account of the conquest of the land.⁵⁷

Critical scholarship, at least prior to the publication of Noth's commentary on the book of Joshua in 1938 and his *Überlieferungsgeschichte des Pentateuch* in 1943 (which both disputed the possibility of attributing any texts in Joshua to J, E, and P), commonly assumed that Deuteronomy did not provide the end of the narrative sources in the Pentateuch except for P. They viewed the break between the books of Deuteronomy and Joshua as an artificial one resulting from the formation of the Torah.⁵⁸

55. For more detailed discussion of Exod 1 see Schmid, *Genesis and the Moses Story*, 216–21.

56. See the contributions and discussions in Matthias Köckert and Erhard Blum, eds., *Gottes Volk am Sinai: Untersuchungen zu Ex 32–34 und Dtn 9–10*, VWGTh 18 (Gütersloh: Gütersloher Verlagshaus, 2001).

57. See, e.g., Kratz, *Composition*, 279–93 (cf. “Shittim” in Num 25:1 and Josh 2:1; for a critique see Blum, “Pentateuch–Hexateuch–Enneateuch,” 54–57); Jan C. Gertz, Angelika Berlejung, Konrad Schmid, and Markus Witte, *T&T Clark Handbook of the Old Testament*, trans. Peter Altmann (London: T&T Clark, 2012), 356–60. A different proposal is made by Oswald, “Die Exodus-Gottesberg-Erzählung.” Blum, *Komposition des Pentateuch*, 216–17; and Van Seters, *Life of Moses*, assume the end of the pre-Priestly Moses story in Deut 34.

58. On this process, see Konrad Schmid, “The Late Persian Formation of the Torah: Observations on Deuteronomy 34,” in *Judah and the Judaeans in the Fourth Century*, ed. Oded Lipschits, Gary Knoppers, and Rainer Albertz (Winona Lake, IN:

In their understanding, it was only natural to assume that an original Moses story narrates not only the exodus, but also the conquest of the land. Recent studies on this subject have tended to revise Noth's apodictic position and strive to identify material in the book of Joshua that can be interpreted as an earlier continuation of the story line beginning in Exodus.⁵⁹ At this time, however, it is impossible to present a sufficiently well-founded hypothesis of the assignment of specific texts to particular sources for such a pre-Priestly account that includes both the exodus from Egypt and the conquest of the land.

20.4. The Decalogue and the Covenant Code in the Book of Exodus and Their Relation to Deuteronomy

The book of Exodus not only marks the beginning of the Moses story in the Pentateuch, it also provides the context for the first legal corpora in the narrative flow of the Pentateuch, the Decalogue (Exod 20:2–17) and the Covenant Code (Exod 20:22–23:33). Both have close connections to the book of Deuteronomy and are, therefore, of relevance when discussing the place of the book of Exodus in the Pentateuch.

20.4.1. The Decalogue in Exodus and Deuteronomy

It is well known that the Decalogue appears twice in the Pentateuch, once in Exodus (Exod 20:2–17) and once in Deuteronomy (Deut 5:6–21). There is much discussion on which of the two preserves the more original formulation and which literary setting is earlier.⁶⁰ It is probably impossible

Eisenbrauns, 2007), 236–45, ch. 10 in the present volume; and Schmid, "The Persian Imperial Authorization as Historical Problem and as Biblical Construct: A Plea for Differentiations in the Current Debate," ch. 11 in this volume.

59. For discussions of an early or a late "Hexateuch," see Thomas Römer and Marc Z. Brettler, "Deuteronomy 34 and the Case for a Persian Hexateuch," *JBL* 119 (2000): 401–19; Kratz, "Der vor- und der nachpriesterschriftliche Hexateuch," 295–323; Thomas Römer, "Das doppelte Ende des Josuabuches: Einige Anmerkungen zur aktuellen Diskussion um 'deuteronomistisches Geschichtswerk' und 'Hexateuch,'" *ZAW* 118 (2006): 523–48; Reinhard Achenbach, "Pentateuch, Hexateuch, und Enneateuch: Eine Verhältnisbestimmung," *ZABR* 11 (2005): 122–54; and Dozeman, *Exodus*, 16–18.

60. Cf. Matthias Köckert, "Wie kam das Gesetz an den Sinai?," in *Vergegenwärtigung des Alten Testaments: Festschrift für Rudolf Smend zum 70. Geburtstag*, ed. Chris-

to provide easy answers to these queries because both formulations of the Decalogue show signs of literary growth and both sit uneasily in their respective narrative contexts.

It is, however, both important and possible to determine the literary function of the double presentation of the Decalogue in the Pentateuch. Why are there two presentations of the Decalogue? The most plausible answer arises from the fact that in both instances the Decalogue serves as an introduction to the two main legislative corpora in the Pentateuch, the Covenant Code and Deuteronomy. The two formulations of the Decalogue apparently aim to emphasize the legal and theological value of the Covenant Code and Deuteronomy. Because both of these corpora can be summarized and introduced by the Decalogue, the reader learns that they are meant to be identical in their substance. This narrative identification has become necessary because the story line of the Pentateuch is arranged such that the Covenant Code is the law given to Moses on Sinai while Deuteronomy is the law that Moses passes on to Israel in the region of the Transjordan before entry into the land. Every reader can observe that these laws are different, even though the Covenant Code and Deuteronomy are related to one another through innerbiblical exegesis. Nevertheless, the question remains: How can Moses promulgate another law other than the one he receives from God himself (on Sinai)? The narrative arrangement of the Pentateuch provides a twofold answer. First, Moses interprets God's law when he passes it on to Israel; therefore, Deuteronomy is cast in the form of an exegetical adaptation of the Covenant Code. Second, the double transmission of the Decalogue ensures that the very substance of the original law, given to Moses on Mount Sinai, and its Mosaic adaption, passed on to Israel by Moses on the plains of Moab, are presented as identical.

troph Bultmann, Walter Dietrich, and Christoph Levin (Göttingen: Vandenhoeck & Ruprecht, 2002), 13–27; Köckert, *Die Zehn Gebote* (Munich: Beck, 2007); and Erhard Blum, “The Decalogue and the Composition History of the Pentateuch,” in Dozeman, Schmid, and Schwartz, *Pentateuch*, 289–301. See also Dominik Markl, *Der Dekalog als Verfassung des Gottesvolkes: Die Brennpunkte einer Rechtshermeneutik des Pentateuch in Exodus 19–24 und Deuteronomium 5*, HBS 49 (Freiburg im Breisgau: Herder, 2007). Consult also Christoph Dohmen, “Decalogue,” in *The Book of Exodus: Composition, Reception, and Interpretation*, ed. Thomas B. Dozeman, Craig A. Evans, and Joel N. Lohr, VTSup 164 (Leiden: Brill, 2014), 194–219.

20.4.2. Covenant Code and Deuteronomy

It is a common and well-founded assumption that the laws in Deut 12–26, viewed diachronically, can be interpreted as an exegetical adaption of the Covenant Code in Exod 20–23. Scholars like Bernard Levinson, William Morrow, and Eckart Otto have made abundantly clear that the literary origins of Deuteronomy can be explained as a new edition of the Covenant Code, newly reinterpreted especially in light of cultic centralization.⁶¹

Even the literary core of the law of centralization itself, found in Deut 12:13–14, depends literarily on the law for the altar in the Book of the Covenant in Exod 20:24, which it even seems to cite:⁶²

Deut 12:13–14: “Take care that you do not offer your burnt offerings in every place you happen to see. But only at the place that YHWH will choose in one of your tribes—there you shall offer your burnt offerings and there you shall do everything I command you.”

Exod 20:24: “You need make for me only an altar of earth and sacrifice on it your burnt offerings and your offerings of well-being, your sheep and your oxen; in every place where I cause my name to be remembered I will come to you and bless you.”

Many of the individual laws in Deuteronomy show close proximity to their *Vorlagen* in the Covenant Code as well, and a comparison demonstrates

61. Bernard M. Levinson, *Deuteronomy and the Hermeneutics of Legal Innovation* (New York: Oxford University Press, 1997); William S. Morrow, *Scribing the Center: Organization and Redaction in Deuteronomy 14:1–17:13*, SBLMS 49 (Atlanta: Scholars Press, 1995); and Eckart Otto, *Das Deuteronomium: Politische Theologie und Rechtsreform in Juda und Assyrien*, BZAW 284 (Berlin: de Gruyter, 1999). John Van Seters (*A Law Book for the Diaspora: Revision in the Study of the Covenant Code* [Oxford: Oxford University Press, 2003]) has argued for a reversal of the traditional dependency and deems the Covenant Code an exilic reinterpretation of Deuteronomy, arguing for a decentralization of the cult in the diaspora, but this proposal has not proven convincing. See Bernard M. Levinson, “Is the Covenant Code an Exilic Composition? A Response to John Van Seters,” in *In Search of Pre-exilic Israel: Proceedings of the Oxford Old Testament Seminar*, ed. John Day, JSOTSup 406 (London: T&T Clark, 2004), 272–325. Nevertheless, for certain pieces in the Covenant Code, this argument may be valid; see, e.g., Thomas Römer’s interpretation of Exod 20:24–26 (*The So-Called Deuteronomistic History: A Sociological, Historical and Literary Introduction* [London: T&T Clark, 2005]).

62. See, e.g., Levinson, *Deuteronomy*; Gertz et al., *T&T Clark Handbook*, 313–14.

the process of legal innovation that took place between the laws in Exodus and those in Deuteronomy:⁶³

Deut 15:12–18: “If a member of your community, whether a Hebrew man or a Hebrew woman, [sells himself or herself to you] and works for you six years, *in the seventh year you shall set that person free. And when you send a male slave out from you a free person, you shall not send him out empty-handed....*

But if he says to you, “I will not go out from you,” because he loves you and your household, since he is well off with you, then you shall take an awl and thrust it through his earlobe into the door, and he shall be your slave forever. You shall do the same with regard to your female slave.

Do not consider it a hardship when you send them out from you free persons, because for six years they have given you services worth the wages of hired laborers; and YHWH your God will bless you in all that you do.”

Exod 21:2–7: “When you buy a male Hebrew slave, he shall serve six years,

but in the seventh he shall go out a free person, without debt....

But if the slave declares, “I love my master, my wife, and my children; I will not go out a free person,” then his master shall bring him **before God**. He shall be brought to the door or the doorpost; and his master shall pierce his ear with an awl; and he shall serve him for life.”

The reformulation of the slave law of Exod 21:2–7 in Deut 15:12–18 shows in exemplary fashion the way Deuteronomy updates the Covenant Code. Slavery as an institution is regarded as a matter of course in Exod 21 (“when you buy a male slave”); in Deuteronomy it is accepted but regarded critically (“sells himself or herself to you,” i.e., “has to sell himself or herself to you”; “member of your community [lit. ‘brother’]”). When the slave is set free, Deut 15 requires that she or he be equipped in such a way that the former slave can construct an independent existence and will not immediately fall back into slavery. However, if the slave wishes to serve in the master’s house for life, it is sealed by a ritual that was sacred in nature in Exod 21 (“before God”). In Deut 15 it appears in a “secular” form. Appar-

63. See Bernard M. Levinson, *Legal Revision and Religious Renewal in Ancient Israel* (Cambridge: Cambridge University Press, 2008).

ently the author of Deut 15 was not willing to tolerate religious acts outside the cultic center of Jerusalem; therefore, the ritual can no longer take place “before God.” Especially noteworthy, finally, is the closing passage in Deut 15, which, on the one hand, formulates a motivation for releasing the slave and on the other hand highlights the divine blessing that accompanying obedience to this commandment. The law in Deuteronomy apparently attempts to motivate through empathy, not by executive power.

In terms of legal hermeneutics, the incorporation of both the Covenant Code in the book of Exodus and of the Deuteronomic law corpus in the Pentateuch is a quite noteworthy feature of the Torah. It includes both laws and their updated versions. As such, the dynamics of renewing legal traditions is anchored prominently in the Torah itself.⁶⁴

20.5. The Murmuring Stories in Exodus and Numbers

It is well known that the wilderness stories in Exodus and in Numbers are closely related to each other (see esp. Exod 15:22–17:7 and Num 11:1–20:13).⁶⁵ One major difference is that the stories in the book of Numbers, after the Sinai events, end with much more serious consequences than the stories in Exodus. The law-giving at Mount Sinai appears to serve as a watershed event taking place between the wilderness stories. Murmuring before the giving of the law is tolerated; afterward it is not.

The diachronic relationship between these stories is much debated. For our purpose here it suffices to remark that the wilderness stories in Exodus

64. The relation between Exodus and Deuteronomy is also relevant in terms of the shift of Israel's liberation from the servitude to Egypt to the service of YHWH; see Wolfgang Oswald, “Auszug aus der Vasallität: Die Exodus-Erzählung (Ex 1–14) und das antike Völkerrecht,” *TZ* 67 (2011): 263–88; see also the earlier Georges Auzou, *De la servitude au service: Etude du livre de l'Exode*, *Connaissance de la Bible* 3 (Paris: Editions de l'Orante, 1961).

65. Christian Kupfer, *Mit Israel auf dem Weg durch die Wüste: Eine leserorientierte Exegese der Rebellionstexte in Exodus 15:22–17:7 und Numeri 11:1–20:13*, OTS 61 (Leiden: Brill, 2012); see also David Frankel, *The Murmuring Stories of the Priestly School: A Retrieval of Ancient Sacerdotal Lore*, VTSup 89 (Leiden: Brill, 2002); Thomas Römer, “Exode et Anti-Exode: La nostalgie de l'Égypte dans les traditions du désert,” in *Lectio difficilior probabilior? L'exégèse comme expérience de déclouisonnement*, ed. Thomas Römer, DBAT.B 12 (Heidelberg: Wiss.-theol. Seminar, 1991), 155–72; Ludwig Schmidt, *Studien zur Priesterschrift*, BZAW 214 (Berlin: de Gruyter, 1993), 179–207; and Zenger, “Die Bücher Leviticus und Numeri,” 57–61.

have counterparts in Numbers and accordingly balance the exodus story in the wider Pentateuch. It is interesting to note that the murmuring motif occurs earlier on, in the story of the miracle at the sea; to see this, compare Exod 14:11–12 with Exod 16:3; 17:3; Num 11:4–6; 14:2; 16:13; 20:5. The murmuring motif belongs, according to the authors of Exod 14, among the most basic elements of the exodus. The Israelites already murmur during their exceptional rescue from the Egyptians at the sea.

There is an additional close link between Exod 32–34 and Num 13–14, as has often been seen: both episodes recount the failure of Israel and God's severe, but nevertheless limited, punishment.⁶⁶ Both also include similar liturgical formulas (Exod 34:6–7/Num 14:18), the role of Moses as intercessor (Exod 32:9–14/Num 14:13–19), and the significance of God's presence among Israel (Exodus 33/Num 14:42–43).

20.6. Further Links between Exodus and the Other Books from Genesis to Kings

In what follows, I will briefly discuss passages in the book of Exodus that are likely part of literary layers that function to connect larger narrative blocks. These larger blocks may have at some point even existed as independent literary works (like a Hexateuch, a Pentateuch, or an Enneateuch). Additional texts could probably be mentioned here as well, but I will limit myself to a few examples.

20.6.1. Redactional Texts of Exodus That Embed the Book within the Hexateuch

The most obvious, albeit short, text in Exodus that shows undeniable links to Genesis, on the one hand, and Joshua, on the other hand (and therefore can be deemed hexateuchal in nature), is Exod 13:19: "And Moses took with him the bones of Joseph, who had made the Israelites swear to him, saying, 'God will surely take care of you, and then you must carry my bones with you from here.'" This verse explicitly refers back to Gen 50:25 and anticipates the burial of Joseph's bones in Shechem as reported

66. Blum, *Komposition des Pentateuch*, 190–191; Michael Widmer, *Moses, God, and the Dynamics of Intercessory Prayer: A Study of Exodus 32–34 and Numbers 13–14*, FAT 2/8 (Tübingen: Mohr Siebeck, 2004), 7–8; and Zenger, "Die Bücher Leviticus und Numeri," 58–59.

in Josh 24:32.⁶⁷ Exodus 13:19 testifies, therefore, to a redaction comprising the Hexateuch (Genesis–Joshua). It may or may not be that there are more texts in Exodus belonging to such a layer, but Exod 13:19 provides the best evidence for it. Traditional exegesis often assigned the statements in Gen 50:25 and Exod 13:19 to E, but given the narrative connection with Josh 24:32, an interpretation of Exod 13:19 just within the literary scope of the Pentateuch is not convincing, and the fragmentary nature of E remains an unsolved problem for its proponents. In addition, Josh 24 is a text that presupposes P, therefore Exod 13:19 can hardly be earlier.⁶⁸

As mentioned above, there were likely earlier connections between the exodus story and the narratives about the conquest of the land. Exodus 13:19 differs from those in that it is embedded in a story line comprising not only Exodus–Joshua, but Genesis–Joshua.

20.6.2. Redactional Texts in Exodus That Embed the Book within the Pentateuch (Exod 32:13; 33:1)

There are, as we have seen, many textual links from the book of Exodus to neighboring books in the Pentateuch. As I note elsewhere,⁶⁹ the formation of a Pentateuch as a closed textual unit serves as a primary interest for Exod 32:13 and 33:1, which speak of the promise of the land to Abraham, Isaac, and Jacob as an oath:

Remember Abraham, Isaac, and Israel, your servants, how you swore to them by your own self, saying to them, “I will multiply your descendants like the stars of heaven, and all this land that I have promised I will give to your descendants, and they shall inherit it forever.” (32:13)

67. See Markus Witte, “Die Gebeine Josefs,” in *Auf dem Weg zur Endgestalt von Genesis bis II Regum: Festschrift Hans-Christoph Schmitt zum 65 Geburtstag*, ed. Martin Beck and Ulrike Schorn, BZAW 370 (Berlin: de Gruyter, 2006), 139–56. See also Schmid, “Genesis in the Pentateuch,” ch. 13 in this volume.

68. See Schmid, *Genesis and the Moses Story*, 197–213; Schmid, “Die Samaritaner und die Judäer: Die biblische Diskussion um ihr Verhältnis in Josua 24,” in *Die Samaritaner und die Bibel: Historische und literarische Wechselwirkungen zwischen biblischen und samaritanischen Traditionen/The Samaritans and the Bible: Historical and Literary Interactions between Biblical and Samaritan Traditions*, ed. Jörg Frey, Ursula Schattner-Rieser, and Konrad Schmid, StSam 7 (Berlin: de Gruyter, 2012), 21–49. See also the brief comment in Schmid, “Genesis in the Pentateuch,” ch. 13 in this volume.

69. Schmid, “Genesis in the Pentateuch,” ch. 13 in this volume.

YHWH said to Moses, “Go, leave this place, you and the people whom you have brought up out of the land of Egypt, and go to the land that I swore to Abraham, Isaac, and Jacob, saying, ‘To your descendants I will give it.’” (33:1)

This notion of the promise of the land to Abraham, Isaac, and Jacob as an oath—without the apposition “fathers”—runs through the Pentateuch as a whole and does not appear afterward.⁷⁰ Presupposing P and D, these texts probably belong to the latest literary developments of the Torah.⁷¹

20.6.3. Redactional Texts in Exodus Linking the Book to the Enneateuch

Genesis–Kings constitutes a continuous narrative from creation to the fall of Jerusalem. It is undisputed that this narrative is a composite and that several subunits have been subsequently combined in order to form this larger narrative. Nevertheless, there are some clear textual links ensuring the overall redactional coherence of this composition. These texts also add some specific theological perspectives. I will limit myself to one example, the proximity of Exod 32 and 1 Kgs 12 and its redactional significance.⁷² In fact, this link is not only relevant in terms of a specific motif that is shared by both texts (the golden calf), but also in terms of theological transformation and adaptation.⁷³

The statements in Exod 32:4b, 8b, “These are your gods, O Israel, who brought you up out of the land of Egypt!” are quite similar to 1 Kgs 12:28b.

70. David J. A Clines, *The Theme of the Pentateuch*, 2nd ed., JSOTSup 10 (Sheffield: Sheffield Academic, 1997); Thomas Römer, *Israels Väter: Untersuchungen zur Väterthematik im Deuteronomium und in der deuteronomistischen Tradition*, OBO 99 (Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 1990), 566; Schmid, *Genesis and the Moses Story*, 271–79.

71. For detailed analysis, see Römer, *Israels Väter*, 561–66, and Schmid, “Genesis in the Pentateuch,” ch. 13 in this volume.

72. In terms of the connections of the book of Exodus to other books of the Pentateuch, the links of Exod 32–34 to Deut 9–10 also should be taken into account, but this issue cannot be addressed here. See, e.g., Norbert Lohfink, “Deuteronomium 9,1–10,11 und Exodus 32–34: Zu Endtextstruktur, Intertextualität, Schichtung und Abhängigkeiten,” in Köckert and Blum, *Gottes Volk am Sinai*, 41–87.

73. See Michael Konkel, “Exodus 32–34 and the Quest for an Enneateuch,” in *Pentateuch, Hexateuch, or Enneateuch? Identifying Literary Works in Genesis through Kings*, ed. Thomas B. Dozeman, Thomas Römer, and Konrad Schmid, AIL 8 (Atlanta: Society of Biblical Literature, 2011), 169–84.

However, unlike 1 Kgs 12, where two calves are fabricated, the plural in Exod 32 does not fit its context because Aaron produces only one calf. Exodus 32:4b, 8b appear to have been primarily shaped as an allusion to 1 Kgs 12:28b, pointing the reader to the source of Jeroboam's sin as narrated in 1 Kgs 12.⁷⁴ What, we might ask, prompted the biblical authors of Exod 32 to establish this link, even at the expense of a grammatical problem of subject-verb agreement in Exod 32:4b, 8b? Exodus 32 seems to hold the entire people accountable for idolatry rather than merely the instigator, Aaron. By doing so, Exod 32 argues that the sin of Jeroboam, which is a recurrent motif in 1 Kgs 12 through 2 Kgs 17, is not only the responsibility of Jeroboam and his royal successors, but the people as a whole are complicit as well.⁷⁵

This link between Jeroboam's sin in the period of the kings, as presented in the books of Kings, is further highlighted by the expression "sinning a great sin," which occurs both in the reflection after the demise of the Northern Kingdom of Israel in 2 Kgs 17:20–21 and in Exod 32:30–31:

YHWH rejected all the descendants of Israel; he punished them and gave them into the hand of plunderers until he had banished them from his presence. When he had torn Israel from the house of David, they made Jeroboam son of Nebat king. Jeroboam drove Israel from following YHWH and made them *sin a great sin*. (2 Kgs 17:20–21)

On the next day Moses said to the people: You have *sinned a great sin*. But now I will go up to YHWH; perhaps I can make atonement for your sin. So Moses returned to YHWH and said, Alas, this people *has sinned a great sin*; they have made for themselves gods of gold. (Exod 32:30–31)

74. See, among many others, e.g., Lothar Peritt, *Bundestheologie im Alten Testament*, WMANT 36 (Neukirchen-Vluyn: Neukirchener Verlag, 1969), 208. For further discussion see Gary N. Knoppers, "Aaron's Calf and Jeroboam's Calves," in *Fortunate the Eyes That See: Essays in Honor of David Noel Freedman in Celebration of His Seventieth Birthday*, ed. Astrid B. Beck (Grand Rapids: Eerdmans, 1995), 92–104; for 1 Kgs 12 see Uwe Becker, "Die Reichsteilung nach I Reg 12," *ZAW* 112 (2000): 210–29; see also the proposal of Juha Pakkala, "Jeroboam without Bulls," *ZAW* 120 (2008): 501–25.

75. See Jan C. Gertz, "Beobachtungen zur Komposition und Redaktion in Ex 32–34," in *Gottes Volk am Sinai: Untersuchungen zu Ex 32–34 und Dtn 9–10*, ed. Erhard Blum and Matthias Köckert, VWGTh 18 (Gütersloh: Gütersloher Verlaghaus, 2001), 99.

Exodus 32:30 appears to stress that, not only Jeroboam “sinned a great sin,” but the whole people at Mount Sinai had engaged in similar behavior during the period of Israel’s origins. The transfer of responsibility from the kings to the people seems to reflect the prior demise of both the kingdoms of Israel and of Judah. The relative chronology in Exod 32, according to Jan Gertz, also suggests an “exilic” setting of its earliest layers “at the earliest.”⁷⁶

It could also be conceivable that Exod 32 alludes to 1 Kgs 12 and 2 Kgs 17, not as texts within one and the same work (which then would extend from Genesis or Exodus to Kings), and this possibility cannot be ruled out. However, it seems plausible that Exod 32 is a reinterpretation of “Jeroboam’s sin,” and the new perspective that emerges in Exod 32 would be most effective if it was part of the same work as the texts from Kings.

20.6.4. Redactional Portions in Exodus Linking the Book to Genesis (Exod 3:6, 13–16)

Of course, the book of Exodus is also closely linked with the book of Genesis. This is especially true for the connections in the Priestly layers between both books, but there are other, non-P texts in Genesis that display such connections as well. Genesis 12:10–20 anticipates the plagues and the exodus from Egypt in the character of Abraham. Genesis 15:13–16 is similar, with its prediction of Israel’s centuries-long oppression in Egypt and its liberation from there. Finally, Gen 50 builds bridges into the book of Exodus.⁷⁷

In Exodus especially the first chapter displays close links to the book of Genesis. But we have already seen that the pre-Priestly Moses story probably originally started in Exod 2. Vice versa, there are indications in

76. See Konrad Schmid, “Deuteronomy within the ‘Deuteronomistic Histories’ in Genesis–2 Kings,” ch. 2 in the present volume; Gertz, “Beobachtungen,” 98.

77. On these texts, see the analyses in Schmid, *Genesis and the Moses Story*; Schmid, “Genesis in the Pentateuch,” ch. 13 in this volume; Thomas Römer, “Exodusmotive und Exoduspolemik in den Erzvätererzählungen,” in *Berührungspunkte: Studien zur Sozial- und Religionsgeschichte Israels und seiner Umwelt; Festschrift für Rainer Albertz zu seinem 65. Geburtstag*, ed. Ingo Kottsieper, Rüdiger Schmitt, and Jakob Wöhrle, AOAT 350 (Münster: Ugarit-Verlag, 2008), 3–19; Römer, “The Exodus in the Book of Genesis,” *SEÁ* 75 (2010): 1–20; and Jan C. Gertz, “The Transition between the Books of Genesis and Exodus,” in Dozeman and Schmid, *A Farewell to the Yahwist?*, 73–87.

Exod 1 that this chapter consists only of P and post-P elements, although this proposal remains contested.⁷⁸

There are also explicit references back to Genesis in the commissioning of Moses in Exod 3 (see Exod 3:6, 13–16).⁷⁹ Exodus 3–4 might be judged a late, that is, post-P, literary connection between Genesis and Exodus. The first clearly recognizable literary layer in the Pentateuch that establishes the basic narrative blueprint of the Pentateuch is P.⁸⁰

20.7. Conclusions

While the Pentateuch provides a quite coherent overall story line from the creation of the world, the patriarchs, the exodus, the events at Mount Sinai, and the wilderness to Moses's farewell speech in the Transjordan, it is plausible that this story line neither reflects the earliest conception of the literature now comprised in the Pentateuch nor denotes an actual sequence of historical events.

78. Schmid, *Genesis and the Moses Story*, 62–65, 216.

79. For more discussion, see “Genesis in the Pentateuch,” ch. 13 in this volume. On the whole chapter as post-P, see Eckart Otto, “Die nachpriesterschriftliche Pentateuchredaktion im Buch Exodus,” in *Studies in the Book of Exodus: Redaction–Reception–Interpretation*, ed. Marc Vervenne, BETL 126 (Leuven: Leuven University Press, 1996), 61–111; Schmid, *Genesis and the Moses Story*, 172–93. On these references alone as post-P, see Jan C. Gertz, *Tradition und Redaktion*, 233–348; Erhard Blum, “Die literarische Verbindung von Erzvätern und Exodus: Ein Gespräch mit neueren Endredaktionshypothesen,” in Gertz, Schmid, and Witte, *Abschied vom Jahwisten*, 199–56; and Thomas Römer, “Exodus 3–4 und die aktuelle Pentateuchdiskussion,” in *The Interpretation of Exodus in Honour of Cornelis Houtman*, ed. Reimer Roukema et al., CBET 44 (Leuven: Peeters, 2006), 65–79. For contrary opinions, see Thomas B. Dozeman, “The Commission of Moses and the Book of Genesis,” in Dozeman and Schmid, *A Farewell to the Yahwist?*, 107–29; John Van Seters, “The Patriarchs and the Exodus: Bridging the Gap between Two Origin Traditions,” in Roukema, *Interpretation of Exodus*, 1–15; Hans-Christoph Schmitt, “Erzväter- und Exodusgeschichte als konkurrierende Ursprungslegenden Israels—ein Irrweg der Pentateuchforschung,” in *Die Erzväter in der biblischen Tradition: Festschrift für Matthias Köckert*, ed. Anselm C. Hagedorn and Henrik Pfeiffer, BZAW 400 (Berlin: de Gruyter, 2009), 241–66; Graham I. Davies, “The Transition from Genesis to Exodus,” in *Genesis, Isaiah and Psalms: A Festschrift to Honour Professor John Emerton for His Eightieth Birthday*, ed. Katharine J. Dell, Graham I. Davies, and Yee Von Koh, VTSup 135 (Leiden: Brill, 2010), 59–78.

80. See on this esp. de Pury, “P^s as the Absolute Beginning.”

Despite its links to the book of Genesis and the following books, the Moses story in the book of Exodus (and in the continuing books, possibly originally until Joshua) was probably first an independent literary piece that was later combined with the Genesis material that precedes it in the canonical Pentateuch.

For the reconstruction of the pre-P redaction history of the Pentateuch, it has, at any rate, become difficult to explain the texts in the book of Exodus as an original continuation of the pre-Priestly material in Genesis. P was evidently the first author to combine Genesis and the Moses story.⁸¹ In Exod 6:2–3,⁸² P still seems to struggle with the sequence of Genesis and Exodus and the mediation of their different theological perspectives, an observation also supported by the alleged earlier text portions of the prophetic books and the Psalms.⁸³

81. If not, then such a connection was only established marginally before P; cf. Kratz, *Composition*, 276, 79; Blum, “Die literarische Verbindung.”

82. Schmid, *Genesis and the Moses Story*, 241–42.

83. Schmid, *Genesis and the Moses Story*, 70–80; for further discussion, see also Schmid, “Genesis in the Pentateuch,” ch. 13 in this volume.

Taming Egypt: The Impact of Persian Imperial Ideology and Politics on the Biblical Exodus Account

21.1. The Bible and the Ancient Near East

For current historical research on ancient Jewish literature, it is a matter of course that texts are influenced by the cultural and historical settings from which they emerge. In biblical studies, such an approach was not always fully accepted. A case in point is the so-called *Babel-Bibel-Streit* that emerged after the Assyriologist Friedrich Delitzsch, on 13 January 1902 and in the presence of Emperor Wilhelm II, delivered a lecture on the topic “*Babel und Bibel*.”¹ Delitzsch suggested that the Bible is not a text sui generis but rather is deeply influenced by its Mesopotamian literary precursors that need to be credited for their intellectual shaping of basic biblical concepts like creation and the flood.

Delitzsch no doubt exaggerated his point, especially in his subsequent work and publications, and he was rightly criticized for advocating a kind of “pan-Babylonism.” His approach even provoked public mockery, with his enthusiasm for Babylonia making its way into one of the most prominent satirical magazines of the time, the *Simplicissimus*.²

But one should also acknowledge that the *particula veri* of his approach was the acknowledgment that the Hebrew Bible is first and foremost a literary and cultural artifact belonging to and in dialogue with ancient Near Eastern literature, quite like the *religionsgeschichtliche Schule* argued.³ It

1. See Reinhard G. Lehmann, *Friedrich Delitzsch und der Babel-Bibel-Streit*, OBO 133 (Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 1989).

2. Thomas Theodor Heine, *Simplicissimus* 7.52 (1903): 409.

3. Gerd Lüdemann and Alf Özen, “Religionsgeschichtliche Schule,” *TRE* 28:618–24.

was not an entity that emerged and existed in splendid isolation from its cultural environment. In what follows, I will address some specific features of the biblical exodus account that reflect ideological influences from the period of its authors.

Despite the divergences in current pentateuchal theory, it is safe to say that the biblical book of Exodus developed over centuries.⁴ One can clearly identify a literary version of the exodus story from the Neo-Assyrian period,⁵ and a parallel version (now combined with the older one) probably originated in the early Persian period. Some scholars speak of them as J and P, respectively. Whereas I agree with the latter designation,⁶

4. Cf. Thomas B. Dozeman, Konrad Schmid, Baruch J. Schwartz, eds., *The Pentateuch: International Perspectives on Current Research*, FAT 78 (Tübingen: Mohr Siebeck, 2011); Konrad Schmid, *Genesis and the Moses Story: Israel's Dual Origins in the Hebrew Bible*, Siphut 3 (Winona Lake, IN: Eisenbrauns, 2010), 7–16, 334–47; Joel S. Baden, “The Continuity of the Non-Priestly Narrative from Genesis to Exodus,” *Bib* 93 (2012): 161–86; Baden, “From Joseph to Moses: The Narratives of Exodus 1–2,” *VT* 62 (2012): 133–58; Baden, *The Composition of the Pentateuch: Renewing the Documentary Hypothesis* (New Haven: Yale University Press, 2012). For overviews of the related scholarship, see, e.g., Georg Fischer, “Zur Lage der Pentateuchforschung,” *ZAW* 115 (2003): 608–16; Thomas Römer, “Hauptprobleme der gegenwärtigen Pentateuchforschung,” *TZ* 60 (2004): 289–307; Römer, “La formation du Pentateuque: histoire de la recherche,” in *Introduction à l'Ancien Testament*, ed. Thomas Römer, Jean-Daniel Macchi, and Christophe Nihan, MdB 49 (Geneva: Labor et Fides, 2004), 67–84; Eckart Otto, “Kritik der Pentateuchkomposition: Eine Diskussion neuerer Entwürfe,” in *Die Tora: Studien zum Pentateuch; Gesammelte Aufsätze*, BZABR 9 (Wiesbaden: Harrassowitz, 2009), 143–67; Konrad Schmid, *Literaturgeschichte des Alten Testaments: Eine Einführung* (Darmstadt: Wissenschaftliche Buchgesellschaft, 2008), 37–41; Baruch J. Schwartz, “The Pentateuch as Scripture and the Challenge of Biblical Criticism: Responses among Modern Jewish Thinkers and Scholars,” in *Jewish Concepts of Scripture: A Comparative Introduction*, ed. Benjamin D. Sommer (New York: New York University Press, 2012), 203–28.

5. See, e.g., Eckart Otto, “Mose und das Gesetz: Die Mose-Figur als Gegenentwurf Politischer Theologie zur neuassyrischen Königsideologie im 7. Jh. v. Chr.,” in *Mose: Ägypten und das Alte Testament*, SBS 189 (Stuttgart: Katholisches Bibelwerk, 2000), 43–83; Jan C. Gertz, “Mose und die Anfänge der jüdischen Religion,” *ZTK* 99 (2002): 3–20.

6. See the standard text assignments to P by Karl Elliger, “Sinn und Ursprung der priesterlichen Geschichtserzählung,” *ZTK* 49 (1952): 121–43; repr., *Kleine Schriften zum Alten Testament*, ed. Hartmut Gese and Otto Kaiser, TB 32 (Munich: Kaiser, 1966), 174–98; Norbert Lohfink, “Die Priesterschrift und die Geschichte,” in *Congress Volume Göttingen 1977*, ed. John A. Emerton, VTSup 29 (Leiden: Brill, 1978), 183–225; repr., *Studien zum Pentateuch*, SBAB 4 (Stuttgart: Katholisches Bibelwerk, 1988), 213–53;

I will refrain from speaking of J for reasons that I as well as others have developed elsewhere.⁷ There may also be earlier precursors to the exodus

Eckart Otto, "Forschungen zur Priesterschrift," *TRu* 62 (1997): 1–50. There is debate regarding the original end of P, especially in the wake of Lothar Perlitt, "Priesterschrift im Deuteronomium?," *ZAW* 100 Suppl. (1988): 65–88, repr., *Deuteronomium-Studien*, FAT 8 (Tübingen: Mohr Siebeck, 1994), 123–43. Proposals include seeing the literary end at either Exod 29 (Otto, "Forschungen zur Priesterschrift"), Exod 40 (Thomas Pola, *Die ursprüngliche Priesterschrift. Beobachtungen zur Literarkritik und Traditionsgeschichte von Pg*, WMANT 70 [Neukirchen-Vluyn: Neukirchener Verlag, 1995]; Reinhard G. Kratz, *Die Komposition der erzählenden Bücher des Alten Testaments*, UTB 2157 [Göttingen: Vandenhoeck & Ruprecht, 2000], 102–17; Michaela Bauks, "La signification de l'espace et du temps dans l'historiographie sacerdotale," in *The Future of the Deuteronomistic History*, ed. Thomas Römer, BETL 147 [Leuven: Peeters, 2000], 29–45), Lev 9 (Erich Zenger, "Priesterschrift," *TRE* 27:435–46; Zenger, *Einleitung in das Alte Testament*, KStTh 1.1, 5th ed. [Stuttgart: Kohlhammer, 2004], 156–75), Lev 16 (Matthias Köckert, *Leben in Gottes Gegenwart: Studien zum Verständnis des Gesetzes im Alten Testament*, FAT 43 [Tübingen: Mohr Siebeck, 2004], 105; Christophe Nihan, *From Priestly Torah to Pentateuch: A Study in the Composition of the Book of Leviticus*, FAT 2/25 [Tübingen: Mohr Siebeck, 2006], 20–68), or Num 27 (Jean-Louis Ska, "Le récit sacerdotal: Une 'histoire sans fin'?", in *The Books of Leviticus and Numbers*, ed. Thomas Römer, BETL 215 [Leuven: Peeters, 2008], 631–53). Between Exod 40 and Lev 26, a staggering of endings within P is suggested by Jan C. Gertz, ed., *Grundinformation Altes Testament: Eine Einführung in Literatur, Religion und Geschichte des Alten Testaments*, 2nd ed., UTB 2745 (Göttingen: Vandenhoeck & Ruprecht, 2007), 236. Christian Frevel, *Mit Blick auf das Land die Schöpfung erinnern: Zum Ende der Priestergrundschrift*, HBS 23 (Freiburg im Breisgau: Herder, 2000), supports the traditional conclusion in Deut 34 (see also Ludwig Schmidt, *Studien zur Priesterschrift*, BZAW 214 [Berlin: de Gruyter, 1993], 271; Peter Weimar, *Studien zur Priesterschrift*, FAT 56 [Tübingen: Mohr Siebeck, 2008], 17). Joseph Blenkinsopp, "The Structure of P," *CBQ* 38 (1976): 275–92; Lohfink, "Die Priesterschrift und die Geschichte"; Ernst Axel Knauf, "Die Priesterschrift und die Geschichten der Deuteronomisten," in Römer, *Future of the Deuteronomistic History*, 101–18; Philippe Guillaume, *Land and Calendar: The Priestly Document from Genesis 1 to Joshua 18*, LHBOTS 391 (London: T&T Clark, 2008), see the conclusion of P^s in Joshua. For an argument against P as a source in Exodus, see Christoph Berner, *Die Exoduserzählung: Das literarische Werden einer Ursprungslegende Israels*, FAT 73 (Tübingen: Mohr Siebeck, 2010). However, see my review in *ZAW* 123 (2010): 292–94. Rainer Albertz, *Exodus 1–18*, ZBK 2.1 (Zurich: TVZ, 2012), 10–26; as well as Jakob Wöhrle, *Fremdlinge im eigenen Land: Zur Entstehung und Intention der priesterlichen Passagen der Vätergeschichte*, FRLANT 246 (Göttingen: Vandenhoeck & Ruprecht, 2012), hold a similar position for Gen 12–50.

7. On J, see Thomas B. Dozeman and Konrad Schmid, eds., *A Farewell to the Yahwist? The Composition of the Pentateuch in Recent European Interpretation*, SymS 34 (Atlanta: Society of Biblical Literature, 2006); for the decisive literary break between

story, especially when accounting for probable oral versions of it, but I will not address these earlier stages in this chapter.⁸

If one admits that biblical authors were influenced by their historical experiences and that the world of these narrators impacted the narratives themselves, then it is to be expected that the various periods in which the book of Exodus was produced would be reflected in its texts. Of course, the world of the narrative has its own logic, but biblical texts, especially in the Pentateuch, often give us glimpses into the world of the narrator as well.

This paper will discuss several conspicuous features in the Priestly exodus account that relate to the story's stance toward Egypt.⁹ These narrative perspectives point to a specific political situation at the beginning of the Persian period that seems to have played a role in the author's experience. I think the Priestly exodus account provides a good example of an early Jewish cultural encounter in the ancient Near Eastern world.

The Priestly texts in the book of Exodus belong to the theocratic strand of early Second Temple period literature in the Bible. In general, the Priestly document (P) takes up the Persian imperial ideology of a comprehensive *pax Persica* encompassing the entire ancient world.¹⁰ Yet

Genesis and Exodus, see Schmid, *Genesis and the Moses Story*, which builds inter alia on Thomas Römer, *Israels Väter: Untersuchungen zur Väterthematik im Deuteronomium und in der deuteronomistischen Tradition*, OBO 99 (Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 1990); and Albert de Pury, "Le cycle de Jacob comme légende autonome des origines d'Israël," in *Congress Volume Leuven 1989*, ed. John A. Emerton, VTSup 43 (Leiden: Brill, 1991), 78–96. On this issue, see the exchange between Baden, "Continuity of the Non-Priestly Narrative," 161–86; and Konrad Schmid, "Genesis and Exodus as Two Formerly Independent Traditions of Origins for Ancient Israel," *Bib* 93 (2012): 187–208.

8. See, e.g., Uwe Becker, "Das Exodus-Credo: Historischer Haftpunkt und Geschichte einer alttestamentlichen Glaubensformel," in *Das Alte Testament—ein Geschichtsbuch?! Geschichtsschreibung und Geschichtsüberlieferung im antiken Israel*, ed. Uwe Becker and Jürgen van Oorschot, ABIG 17 (Leipzig: Evangelische Verlagsanstalt, 2005), 81–100.

9. On P's exodus account, see Peter Weimar, *Untersuchungen zur priesterschriftlichen Exodusgeschichte*, FB 9 (Würzburg: Echter, 1973); Thomas Römer, "The Exodus Narrative according to the Priestly Document," in *The Strata of the Priestly Writings: Contemporary Debate and Future Directions*, ed. Sarah Shectman and Joel S. Baden, ATANT 95 (Zurich: TVZ, 2009), 157–74; Albertz, *Exodus 1–18*, 50–52.

10. See Pierre Briant, *From Cyrus to Alexander: A History of the Persian Empire* (Winona Lake, IN: Eisenbrauns, 2002), 175–203.

at the same time, the Priestly texts in Exodus develop the notion that Egypt stands outside of God's world order. They suggest that only by taming Egypt may God's creative activity come to a meaningful end in the ultimate establishment of God's glory (כבוד יהוה) in the world. Taming Egypt is an essential element of the Priestly document's portrayal of world history that starts with the beginning of time and culminates in the establishment of Israel's sanctuary. In what follows, I will explain how and why the Priestly document developed this specific stance toward Egypt, arguing in a way that includes observations about the world of the narrative and the world of its narrators alike.

21.2. The Priestly Exodus Account and Its Theological Shape

Allowing for minor variations in detail, the Priestly version of the exodus story is usually considered to comprise the following verses in Exodus: 1:7, 13–14; 2:23*–25; 6:2–12; 7:1–2, 4–7, 8–10a, 11–13, 19–20*, 21b, 22; 8:1–3, 11*, 12–14a, 15; 9:8–12; 11:10; 12:1, 3–8*, 18–20; 12:40–41; 14:1–4*, 8a, 10*, 15, 16–18a*, 21–23*, 26–29*.¹¹ Its basic elements include the oppression of the Israelites in Egypt, the commissioning of Moses, the contest with the Egyptian magicians, the setting up of the Pesach, Israel's departure from Egypt, and the death of the pharaoh and his army in the sea, after which the Israelites reach the wilderness of Sinai.¹²

While this narrative is about the early history of Israel, Norbert Lohfink and Ernst Axel Knauf in particular have pointed out that it is not particularly helpful to approach the Priestly document and its exodus story as a historiographical work, as has often been done.¹³ Instead, the Priestly document intends to present Israel's beginnings not in terms of history, but in terms of foundational myth. It is easier to describe this

11. Following basically the delineations proposed by Jan C. Gertz, *Tradition und Redaktion in der Exoduserzählung: Untersuchungen zur Endredaktion des Pentateuch*, FRLANT 186 (Göttingen: Vandenhoeck & Ruprecht, 2000), 394–96.

12. For the notion of Sinai in P, see Konrad Schmid, "Sinai in the Priestly Document," ch. 25 in this volume.

13. Cf. Lohfink, "Die Priesterschrift und die Geschichte"; Ernst Axel Knauf, "Der Exodus zwischen Mythos und Geschichte: Zur priesterschriftlichen Rezeption der Schilfmeer-Geschichte in Ex 14," in *Schriftauslegung in der Schrift: Festschrift für Odil Hannes Steck zu seinem 65. Geburtstag*, ed. Reinhart. G. Kratz, Thomas Krüger, and Konrad Schmid, BZAW 300 (Berlin: de Gruyter, 2000), 73–84; Knauf, "Die Priesterschrift und die Geschichten der Deuteronomisten," 101–18.

difference in German terms: P as a whole writes not *Geschichte*, but *Urgeschichte*. The importance of this differentiation will become clear in the following sections.

21.2.1. Creation Theology in P's Account of the Crossing of the Sea (Exod 14)

The first feature to be discussed in the Priestly exodus story is the theologically loaded wording in the account of the sea crossing in Exod 14. This wording shows that the salvation of Israel and the destruction of Egypt in P are not based on an arbitrary act of God: both elements are divine creational activities.¹⁴

This may be demonstrated first by Exod 14:22, a verse that is unanimously attributed to P:

ויבאו בני־ישראל בתוך הים ביבשה והמים להם חמה מימינם ומשמאלם
The Israelites went into the sea *on dry ground*, the waters forming a wall
for them on their right and on their left.

In the crossing of the sea, the Israelites went on *dry ground*, in Hebrew: **ביבשה**. The term **יבשה** appears only once in the Priestly document before Exod 14:22. This is the statement in Gen 1:9, part of the Priestly account of creation:

ויאמר אלהים יקוו המים מתחת השמים אל־מקום אחד ותראה היבשה ויהי־כן
And God said, “Let the waters under the sky be gathered together into
one place, and let *the dry ground* appear.” And it was so.

In the miracle at the Sea of Reeds, something similar to the third day of creation takes place: the dry ground can be seen. The Priestly document apparently intends to present this miracle in the same mold as the creational activity of God during the very first days of creation.¹⁵

The wording of Exod 14:28a exhibits a similar affiliation with God's creational activity at the very beginning of world history as well:

14. See on this in more detail Konrad Schmid, “The Quest for ‘God’: Monotheistic Arguments in the Priestly Texts of the Hebrew Bible,” ch. 22 in this volume. Unless otherwise noted, all translations are mine.

15. See Schmid, “Quest for ‘God,’” ch. 22 in this volume.

וישבו המיִסִּיכִסוּ אֶת־הָרֶכֶב וְאֶת־הַפָּרָשִׁים לְכָל חֵיל פְּרָעָה הַבָּאִים אַחֲרֵיהֶם בַּיָּם
The waters returned and covered the chariots and the chariot drivers, the entire army of the pharaoh that had followed them into the sea.

Within the Priestly narrative, this statement is quite similar in literary terms to the flood waters' covering of the earth in Gen 7:19–20:

וְהַמַּיִם גָּבְרוּ מְאֹד מְאֹד עַל־הָאָרֶץ וַיִּכְסּוּ כָל־הַהָרִים הַגְּבוּהִים אֲשֶׁר־תַּחַת כָּל־הַשָּׁמַיִם
 חֲמֵשׁ עֶשְׂרֵה אַמָּה מִלְּמַעְלָה גָּבְרוּ הַמַּיִם וַיִּכְסּוּ הַהָרִים
The waters swelled so mightily on the earth that all the high mountains under the whole heaven were covered; fifteen cubits deep the waters swelled, and the mountains were covered.

The implicit theological argument underlying this thematic and terminological link can be described as follows: The destruction of the Egyptian army in the sea is tantamount to the eradication of the corrupted creatures during the flood. Erasing the Egyptian army is thus another part of establishing God's creational world order. These links back to Gen 1 and 7 show that P's exodus account is more *Urgeschichte* than *Geschichte*. Leading the people out of Israel and destroying the Egyptian military is part of God's creational activity.

21.2.2. P's Peaceful Worldview

Why is the destruction of Egypt's power noteworthy? Outside of this single episode, P displays a very peaceful view of the world. That is to say, P shows no hostile attitude toward the nations. Israel's God is not only Israel's God, but also the God for the whole world; and accordingly, God makes promises to Israel, to the Abrahamic nations more broadly (Gen 17), and even to the whole world (Gen 9).¹⁶

16. For P, there is a specific relation between the "world cycle" (Gen 1–9) and the "Abrahamic cycle" (Gen 11–Exod 1) in Genesis and the "Israel cycle" (Exod 1–40) in Exodus. It represents a concentric theological organization of the world in which the creator God is *Elohim* for the world (Gen 9:1), *El Shadday* for the Abrahamic people (Gen 17:1), and YHWH for Israel (Exod 6:2). See on this in further detail Konrad Schmid, "Judean Identity and Ecumenicity: The Political Theology of the Priestly Document," ch. 24 in this volume. This conception might be inspired by the Persians' own view of center and periphery within their empire; cf. Herodotus (*Hist.* 1.134): "After their own nation they hold their nearest neighbors most in honor, then the

The flood story of Gen 6–9 seems to pose an obvious exception to such peacefulness, but even here, P in fact criticizes the notion of divine violence. As Rudolf Smend noted some thirty years ago, P's presentation of the great flood amounts to a critical interaction with the prophecy of doom.¹⁷

Especially in P's theological argumentation in Gen 6, several allusions to the prophetic tradition are detectable:

And God said to Noah: *The end* [קץ] *of all flesh has come* [בא] *before me*, for the earth is filled with violence because of them; now I am going to destroy them along with the earth. (Gen 6:13)

As Smend and others have noted, the beginning of this passage quotes the book of Amos:

And [YHWH] said to Amos: What do you see? I said: A basket with ripe fruit [קץ]. And YHWH said: *The end* [קץ] *has come* [בא] *for my people* Israel; I will no longer forgive. (Amos 8:2)

This passage from Amos is already taken up in Ezek 7,¹⁸ which is probably also reflected in Gen 6:

You, son of man, shall say: Thus says YHWH the Lord to the land of Israel: *The end* [קץ] *has come* [בא]! *The end* [קץ] *has come* [בא] *to the borders of that land!* *The end* [קץ] *has come* [בא] *to you.* (Ezek 7:2–3)

nearest but one—and so on, their respect decreasing as the distance grows, and the most remote being the most despised. Themselves, they consider in every way superior to everyone else in the world, and allow other nations a share of good qualities decreasing according to distance, the furthest off being in their view the worst.” See also Briant, *From Cyrus to Alexander*, 181.

17. Rudolf Smend, “Das Ende ist gekommen: Ein Amoswort in der Priesterschrift,” in *Die Botschaft und die Boten: Festschrift für Hans Walter Wolff zum 70. Geburtstag*, ed. Jorg Jeremias and Lothar Perlitt (Neukirchen-Vluyn: Neukirchener Verlag, 1981), 67–74; repr., *Die Mitte des Alten Testaments: Exegetische Aufsätze* (Tübingen: Mohr Siebeck, 2002), 238–43.

18. For the textual variations in Ezek 7, see Karl-Friedrich Pohlmann, *Der Prophet Hesekiel/Ezechiel: Kapitel 1–19*, ATD 22.1 (Göttingen: Vandenhoeck & Ruprecht, 1996), 100 n. 441; for the motif of the “end,” 116–17.

How should one interpret P's allusion in Gen 6 to these harsh statements from the prophetic books?¹⁹ P seems to proclaim that there was indeed a divine judgment entailing the "end," but that this event happened very long ago—at the time of the flood—and that this divine will to make an "end" has been overcome by God's unconditional covenant with humankind, as stated in Gen 9. Thus, P rejects the basic elements of the prophecy of doom: God will never again go to war with his creation, as his bow in the clouds symbolizes.²⁰ In light of P's political theology one could add that, for P, the present situation of a theocracy mediated by the Persian Empire is tantamount to the end of history. P takes up the judgment prophecies of Amos 8 and Ezek 7 ("the end has come"), arguing that even though there was a divine proclamation concerning the world's divinely wrought destruction, this event occurred in primordial times and was settled once and for all in the covenant of Gen 9.²¹

Hence, within P's peaceful worldview the case of Egypt and the destruction of Egyptian power in the sea make for a striking exception—even if it is applicable only to the narrative world.²² Also worth noting is how P seems to distinguish between Egypt's military and Egypt's civilian population.

Divine destruction targets only the military, whereas the people of Egypt appear spared of God's violence. This point is especially evident in P's account of the plagues against Egypt in Exod 7–11. It has often been noted that the Priestly plague cycle is conceived not so much as a series of

19. For other links from P to the prophetic tradition, see also Bernard Gosse, "Le livre d'Ezéchiel et Ex 6,2–8 dans le cadre du Pentateuque," *BN* 104 (2000): 20–25; Jan C. Gertz, "Noah und die Propheten: Rezeption und Reformulierung eines altorientalischen Mythos," *Deutsche Vierteljahrsschrift für Literaturwissenschaft und Geistesgeschichte* 81 (2007): 503–22.

20. See Udo Rüterswörden, "Der Bogen in Genesis 9: Militärhistorische und traditionsgeschichtliche Erwägungen zu einem biblischen Symbol," *UF* 20 (1988): 247–63; see also Erich Zenger, *Gottes Bogen in den Wolken: Untersuchungen zu Komposition und Theologie der priesterschriftlichen Urgeschichte*, 2nd ed., SBS 112 (Stuttgart: Katholisches Bibelwerk, 1987); Udo Rüterswörden, *Dominium terrae: Studien zur Genese einer alttestamentlichen Vorstellung*, BZAW 215 (Berlin: de Gruyter, 1993); Othmar Keel, "Der Bogen als Herrschaftssymbol: Einige unveröffentlichte Skarabäen aus Israel und Ägypten zum Thema 'Jagd und Krieg,'" *ZDPV* 93 (1977): 141–77.

21. Cf. Schmid, *Genesis and the Moses Story*, 166–67.

22. Berner, *Die Exoduserzählung*, 375–82 proposes a complicated literary genesis for the depiction of the Egyptian army in Exod 14.

strikes against Egypt to force Israel's release from Pharaoh but rather as a contest of magicians.²³

Against the magicians of Egypt, Moses and Aaron demonstrate before Pharaoh that the God of the Israelites is the sovereign ruler of the world. In a sequence of five elements—rods to snakes (7:1–7*), Nile water to blood (7:8–22*), frogs (8:1–3), lice (8:12–15*), and boils (9:8–12)²⁴—Moses and Aaron establish the supremacy of their God's power over Egypt's power. The first three miracles can be imitated by the magicians of Pharaoh, but by the fourth, they have to acknowledge that “this is the finger of God” (Exod 8:14). By the fifth, they are afflicted by the boils and are no longer able to participate in the contest: “The magicians could not stand before Moses because of the boils” (Exod 9:11a).

Yet more characteristics than just those of the Priestly plague cycle differentiate it from the non-Priestly plagues. Additionally, in the non-Priestly plague cycle, all of Egypt has to suffer from the strikes, whereas in the Priestly account such is not the case. Instructive in this respect is the very first plague in Exod 7:19–22*:

וַיֹּאמֶר יְהוָה אֶל־מֹשֶׁה אֲמַר אֶל־אַהֲרֹן קַח מִטֶּד וְנִטְהִידֵךְ עַל־יְמִימֵי מִצְרַיִם עַל־נְהַרְתָּם עַל־יַאֲרֵיהֶם וְעַל־אֲגַמֵּיהֶם וְעַל כָּל־מְקוֹה מִיְּמֵיהֶם וַיְהִי דָם בְּכָל־אֶרֶץ מִצְרַיִם וּבַעֲצִים וּבִאֲבָנִים וַיַּעֲשׂוּ־כֵן מֹשֶׁה וְאַהֲרֹן כְּאֲשֶׁר צִוָּה יְהוָה וַיִּרָם בְּמַטֵּה וַיֵּךְ אֶת־הַמַּיִם אֲשֶׁר בִּיאֵר לְעֵינֵי פַרְעֹה וְלְעֵינֵי עַבְדָּיו וַיְהִי כֹל־הַמַּיִם אֲשֶׁר־בִּיאֵר לְדָם וְהַדָּגָה אֲשֶׁר־בִּיאֵר מָתָה וַיִּבָּאֵשׁ הַיָּאֵר וְלֹא־יָכְלוּ מִצְרַיִם לִשְׁתּוֹת מִמֶּנּוּ מִן־הַיָּאֵר וַיְהִי הָדָם בְּכָל־אֶרֶץ מִצְרַיִם וַיַּעֲשׂוּ־כֵן הָרַטְמִי מִצְרַיִם בְּלִטְיָהֶם וַיִּחֹק לְבִפְרָעָה וְלֹא־שָׁמַע אֱלֹהִים כְּאֲשֶׁר דָּבַר יְהוָה

And YHWH said to Moses, “Say to Aaron, ‘Take your staff and stretch out your hand over the waters of Egypt, over its rivers, its canals, and its ponds, and all its pools of water, so that they may become blood; and there shall be blood throughout the whole land of Egypt, even in wood and stones.’” Moses and Aaron did just as YHWH commanded and there was blood in all the land of Egypt. But the magicians of Egypt did the

23. John Van Seters, “A Contest of Magicians? The Plague Stories in P,” in *Pomegranates and Golden Bells: Studies in Biblical, Jewish, and Near Eastern Ritual, Law, and Literature in Honor of Jacob Milgrom*, ed. David P. Wright, David Noel Freedman, and Avi Hurvitz (Winona Lake, IN: Eisenbrauns, 1995), 569–80; Thomas C. Römer, “Competing Magicians in Exodus 7–9: Interpreting Magic in the Priestly Theology,” in *Magic in the Biblical World: From the Rod of Aaron to the Ring of Solomon*, ed. Todd E. Klutz, JSNTSup 245 (London: T&T Clark, 2003), 12–22.

24. Gertz, *Tradition und Redaktion*, 79–97, 395.

same by their secret arts; so Pharaoh's heart remained hardened, and he would not listen to them; as YHWH had said.

In this Priestly plague, unlike its non-Priestly counterpart, no one suffers. All water in Egypt is turned into blood by Moses and Aaron, and there is an implicit assumption that after they had performed the miracle the blood immediately turned back into water. Otherwise, the Egyptian magicians would not have been able to repeat the miracle. Thus the event apparently lasted only for a short time, the event being a miracle, not a plague.

If one looks for a moment at the parallel non-P version, it becomes obvious that, first, the plague lasts longer, and second, it affects the population of Egypt considerably: they must search laboriously for water by digging in the banks of the Nile.

The frog plague is similar. In P's presentation, the coming of the frogs is a brief event that disappears as quickly as it appears. The frogs are not a means to torture Egypt, but are simply one element in the contest between Moses and Aaron, on the one hand, and the magicians, on the other. In the non-P account of the frog plague, the frogs go everywhere, invading all the houses and plaguing every Egyptian.

Even the Priestly presentation of the death of the firstborn unfolds in a highly reduced manner (a two-verse announcement in Exod 12:12–13, which is embedded in a Pesach account). The execution itself is not reported in P.²⁵

Therefore, P's shaping of Exod 14 is conceptually exceptional and demands an explanation. P envisions wide-reaching political, cultural, and religious peace for the whole known ancient world, but its stance toward Egypt's military is different. Why?

21.3. P's Historical Situation and Its Stance toward Egypt

One could imagine P already having been acquainted with the deadly fate of the pharaoh and his army through access to the preexisting traditions of Israel's exodus from Egypt. This point is certainly an important one and might provide an explanation. Nevertheless, one must account for the fact that P was in all probability written as an independent literary source. The reason that P was not simply added to the preexisting tradi-

25. If one follows Gertz, *Tradition und Redaktion*, 394–96.

tion as a further redactional layer results precisely from its conceptual break from this tradition, as especially Christoph Levin has pointed out.²⁶ Especially in Gen 12–50, P's theology of a single legitimate cult introduced by Moses could not be reconciled with the stories of the ancestors, who built several altars and worshiped in several places.²⁷ It is therefore to be suspected that if P had intended to exclude the element of violence against Egypt's army in Exod 14, then P probably could have done so. Furthermore, the destruction of Egypt's army is highlighted particularly within P's own text portions.

It is difficult to see a sufficient basis for this motivation solely within the narrative world of P's exodus account. Indeed, P is ultimately interested in the establishment of the sanctuary, a narrative development for which the destruction of Egypt at the sea is not really necessary. As mentioned before, for P's authors, it may have been a given based on the exodus traditions they already knew, but the inclusion of and specific interest in divine violence against Egypt still remains noteworthy.

Therefore, one should consider other explanations. I find most promising the approach of Albert de Pury, who suggested that P's reference to violence against Egypt may have arisen in response to the political situation in which P's authors operated in the early Persian period.²⁸

The date of P is of course a matter of considerable debate. Scholars often argue for a Neo-Babylonian or an early Persian origin, but even a preexilic date is sometimes suggested.²⁹ Others allow for stages of growth

26. Christoph Levin, *Der Jahwist*, FRLANT 157 (Göttingen: Vandenhoeck & Ruprecht, 1993), 437.

27. Levin, *Der Jahwist*, 437 n. 6.

28. Albert de Pury, "P⁸ as the Absolute Beginning," in *Les dernières rédactions du Pentateuque, de l'Hexateuque et de l'Ennéateuque*, ed. Thomas Römer and Konrad Schmid, BETL 203 (Leuven: Peeters, 2007), 99–128; repr., *Die Patriarchen und die Priesterschrift: Les Patriarches et le document sacerdotal; Gesammelte Studien zu seinem 70. Geburtstag; Recueil d'articles, à l'occasion de son 70e anniversaire*, ed. Jean-Daniel Macchi, Thomas Römer, and Konrad Schmid, ATANT 99 (Zürich: TVZ, 2010), 13–42.

29. See Richard Elliott Friedman, *Who Wrote the Bible?* (San Francisco: Harper, 1990), 161–216; see also Avi Hurvitz, "Dating the Priestly Source in Light of the Historical Study of Biblical Hebrew: A Century after Wellhausen," in *Lebendige Forschung im Alten Testament*, ed. Otto Kaiser (Berlin: de Gruyter, 1988), 88–100; Hurvitz, "Once Again: The Linguistic Profile of the Priestly Material in the Pentateuch and Its Historical Age: A Response to J. Blenkinsopp," *ZAW* 112 (2000): 180–91.

and interpret P as the result of a process that began in the preexilic period and extended into the Persian period.³⁰

Especially for P's cultic laws, such a long-term perspective is probably correct. But for P's overall narrative and its specific theological shape, the basic arguments by Julius Wellhausen are, in my opinion, still valid: P presupposes the cult centralization of Deuteronomy, which can be dated to the late Neo-Assyrian period, and the classical prophets do not presuppose the legislation of P. For this reason, P seems to be later than both D and the classical prophets. But P's specific introduction of the sanctuary as a mobile tent seems to predate the dedication of the Second Temple in 515 BCE, so that if P is a Persian period text, then it belongs to the early Persian period.

Indeed, the basic conception of political theology in P—the peaceful, well-ordered organization of the world according to which different nations all dwell in their own lands with their own language and culture—points to a general dating of P's composition in the Persian period. As argued above, this worldview of P may well find expression in the Priestly flood story and plague cycle. Moreover, it is probably most clearly evinced through the Priestly Table of Nations in Gen 10:³¹

בני יפת ... בארצתם איש ללשנו למשפחתם בגויהם

The sons of Japheth ... in their lands, with their own language, by their families, by their nations. (Gen 10:2, 5)

אלה בני־חם למשפחתם ללשנתם בארצתם בגויהם

These are the sons of Ham, by their families, by their languages, in their lands, and by their nations. (Gen 10:20)

אלה בני־שם למשפחתם ללשנתם בארצתם לגויהם

These are the sons of Shem, by their families, by their languages, in their lands, and by their nations. (Gen 10:31)

30. William H. C. Propp, *Exodus: A New Translation with Introduction and Commentary*, 2 vols., AB 2–2A (New York: Doubleday, 1999–2006), 2:730–32.

31. See Jacobus G. Vink, “The Date and the Origin of the Priestly Code in the Old Testament,” in *The Priestly Code and Seven Other Studies*, ed. Jacobus G. Vink, OTS 52 (Leiden: Brill, 1969), 61; Knauf, “Die Priesterschrift und die Geschichten der Deuteronomisten,” 104–5; Nihan, *From Priestly Torah*, 383; see also Jacques Vermeylen, “La ‘table des nations’ (Gn 10): Yaphet figure-t-il l’Empire perse?,” *Transeu* 5 (1992): 113–32.

It has long been recognized that one of the closest parallels to Gen 10—that is, to a structuring of the world as a differentiated unity consisting of various nations and languages—is found in Persian imperial ideology and is attested, for example, in the Bisitun inscription, which was disseminated widely throughout the Persian Empire.³²

The Persian imperial inscriptions declare that every nation belongs to their specific region and has their specific cultural identities (cf. DNa 30–38; XPh 28–35; DB I 61–71). This structure results from the will of the creator deity, as Klaus Koch pointed out in his “*Reichsidee und Reichsorganisation im Perserreich*,” where he identifies this structure as “Nationalitätenstaat als Schöpfungsgegebenheit.”³³ This fact may be illustrated by the tomb iconography of three Persian kings in Naqš-i Rostam (ANEP, 769): The reliefs above the tombs’ entrances include a cosmic representation of peaceful order among the nations in the Persian Empire.

What is the place of Egypt within that structure? P’s surprising picture of Egypt as a nation needing to be tamed in an otherwise well-organized and disciplined world might imply that P does not yet presuppose Egypt’s inclusion in the Persian Empire. If that is the case, then P would predate the Persian conquest of Egypt, which happened in 525 BCE under Cambyses.³⁴ In sum, P seems to reflect the peaceful world order of the Persian Empire at a point when it included the whole ancient world except for Egypt. This political situation in the world of P’s authors might also explain why the

32. Rüdiger Schmitt, *The Bisitun Inscriptions of Darius the Great: Old Persian Texts*, vol. 1 of *The Old Persian Inscriptions, Corpus inscriptionum Iranicarum* (London: School of Oriental and African Studies, 1991); Schmitt, *Die altpersischen Inschriften der Achämeniden: Editio minor mit deutscher Übersetzung* (Wiesbaden: Reichert, 2009).

33. Klaus Koch, “Weltordnung und Reichsidee im alten Iran und ihre Auswirkungen auf die Provinz Jehud,” in *Reichsidee und Reichsorganisation im Perserreich*, 2nd ed., OBO 55 (Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 1996), 197–201; see pp. 150–51: “Das Zurückführen von Göttern und Menschen an ihren, mit Städte- und Tempelnamen gekennzeichneten Ort (*ašru*) rühmen auch akkadische Königsinschriften, vom Prolog des Codex Hammurabi (Ia 65: ‘restore’ ANET 164; TUAT I 41) bis hin zum Kyros-Zylinder (Z. 32; ANET 316; TUAT I, 409). Doch gibt es dabei, soweit ich sehe, nirgends einen Hinweis auf Völker und Länder. Mit Dareios I. setzt also ein neuer, an der Nationenvielfalt ausgerichteter Schöpfungs- und Herrschaftsgedanke durch.”

34. Eugene Cruz-Urbe, “The Invasion of Egypt by Cambyses,” *Transeu* 25 (2003): 9–60.

divine violence against Egypt seems directed more toward its army than toward its population.

21.4. The Establishment of God's "Glory" in the Victory over Egypt's Army at the Sea

The defeat of Egypt's army appears associated with yet another important theological Priestly theme in Exod 14: the establishment of God's "glory" after the destruction of Egypt's army.

It is well known that God's glory (כבוד יהוה) is a central concept in P, especially in its Sinai pericope.³⁵ From Exod 16 on, the כבוד יהוה is the most prominent mode of God's revelation, though the concept does not seem properly introduced within P's narrative. However, if one looks beyond the substantive and takes into account the usage of the root כבד in P, then Exod 14 arguably serves as the basic etiology of God's glory within P's narrative.

This idea is observable in Exod 14:4a, which reads as follows:

וְחִזְקֵתִי אֶת־לִב־פַּרְעֹה וְרִדְף אַחֲרֵיהֶם וְאֶכְבְּדָה בַּפָּרַעַה וּבְכָל־חֵילוֹ וִידְעוּ מִצְרַיִם כִּי־
אֲנִי יְהוָה

I will harden Pharaoh's heart, and he will pursue them, so that I will gain glory [*niph'al* כבד] for myself over Pharaoh and all his army; and the Egyptians shall know that I am YHWH.

The "Egyptians" in this verse probably do not refer to "Pharaoh and all his army," since they face imminent destruction. It is not they who need to know "that I am YHWH." Rather, the remaining Egyptians, the people of Egypt, shall learn from the death of their king and the destruction of their army "that I am YHWH."³⁶ The driving force behind this knowledge is the establishment of God's glory in the victory over the Egyptian army at the sea.

35. Cf. Ursula Struppe, *Die Herrlichkeit Jahwes in der Priesterschrift: Eine semantische Studie zu kebôd YHWH*, ÖBS 9 (Klosterneuburg: Österreichisches Katholisches Bibelwerk, 1988); Thomas Wagner, *Gottes Herrlichkeit: Bedeutung und Verwendung des Begriffs kâbôd im Alten Testament*, VTSup 151 (Leiden: Brill, 2012).

36. The redactional version of 14:25 (see Thomas Krüger, "Erwägungen zur Redaktion der Meerwundererzählung [Exodus 13,17–14,31]," ZAW 108 [1996]: 532) then interprets the Egyptians as the Egyptian soldiers who recognize, just before their death, that it is YHWH himself who fights against them.

Exodus 14:17–18 also uses *niphal* כבד in order to describe the theological significance of the destruction of Egypt's army in the sea. This text highlights the chariots and horsemen.

ואני הנני מחזק את־לב מצרים ויבאו אחריהם ואכבדה בפרעה ובכל־חילו ברכבו
ובפרשיו וידעו מצרים כי־אני יהוה בהכבדי בפרעה ברכבו ובפרשיו
Then I will harden the hearts of the Egyptians so that they will go in after them; and so I will gain glory for myself over Pharaoh and all his army, his chariots, and his chariot drivers. And the Egyptians shall know that I am YHWH, when I have gained glory for myself over Pharaoh, his chariots, and his chariot drivers.

Apparently, God's victory over the Egyptians establishes his כבוד in P's eyes. With this reading of Exod 14, it is possible to understand the concept of כבד יהוה, which receives this exact designation for the first time in Exod 16, the story of the manna (cf. Exod 16:7, 10).³⁷

21.5. God and the Gods of Egypt in P

Another striking element in P pertains to its depiction of Egyptian religion. In the uncontested P-verse of Exod 12:12b, God tells Moses:

ובכל־אלהי מצרים אעשה שפטים אני יהוה
On all the gods of Egypt I will execute judgments: I am YHWH.

This is the only instance in P where אלהים denotes a *plurality* of deities and where deities other than YHWH himself are envisioned. P is a decidedly monotheistic text,³⁸ propagating a sophisticated version of inclusive monotheism. This inclusive monotheism acknowledges the empirical diversity of different religions in the world, portraying all of them as guideposts that point to the one creator deity that the narrative flow of P ultimately presents as YHWH.

William Propp has drawn attention to the fact that Exod 12:12 is formulated as *yiqtol*: "I will punish."³⁹ This grammatical observation precludes the possibility that Exod 12:12 refers to the earlier humiliation of

37. See also Struppe, *Die Herrlichkeit*, 139–43.

38. See Schmid, "Quest for 'God,'" ch. 22 in this volume.

39. Propp, *Exodus*, 1:400.

the Egyptian gods in the plague cycle. Exodus 12:12 is ostensibly a narrative element not fully integrated into the world of the narrative and provides a window into the world of the narrator, who seems to expect a judgment on Egypt.⁴⁰

To sum up: P's exodus account is a historical text from a specific historical period. As such, it not only creates a fictitious narrative world but also, as one would expect, provides glimpses of the author's own world.⁴¹

40. It might be possible to relate these "judgments" on the gods of Egypt to P's specific location of the miracle at the sea "in front of Ba'al Zaphon" (Exod 14:2). The place is probably the antecedent to the sanctuary of Zeus Cassius mentioned by Herodotus (2.6.158: 3.5) and is to be identified with Ras Qasrun on the sandbar of the Sabakhet (Sabkhat) el Bardawil. Excavations show no evidence reaching back prior to the Persian conquest of Egypt (see Graham I. Davies, "The Wilderness Itineraries and Recent Archaeological Research," in *Studies in the Pentateuch*, ed. John A. Emerton, VTSup 41 [Leiden: Brill 1990], 161–75, esp. 162–64). It is noteworthy that, according to P, the Israelites are commanded to head back (שוב) to "Ba'al Zaphon" in order that the miracle can take place. See Krüger, "Erwägungen," 521–22. The miracle in P is mainly a demonstration of God's power rather than something necessary for the deliverance of the Israelites.

41. In this respect, the argument of Benjamin D. Sommer is overstated in "Dating Pentateuchal Texts and the Perils of Pseudo-Historicism," in Dozeman, Schmid, and Schwartz, *Pentateuch*, 85. Consider, e.g., the following statement against dating texts by profile: "In this article I make a very simple point concerning the dating of texts. It is odd that one needs to make this point; yet it does need to be made, because it pertains to a practice that is as common within biblical studies as it is specious. Scholars in our field frequently support a speculative dating of a text by asserting that, since the text's ideas match a particular time period especially well, the text was most likely composed then.... According to this approach, a scholar ascertains the themes of a passage, then thinks about when that theme would be relevant, crucial, or meaningful to ancient Israelites, then dates the text to that time-period. It should be immediately clear that this method of dating holds no validity whatsoever."

Part 6

The Priestly Document

The Quest for “God”: Monotheistic Arguments in the Priestly Texts of the Hebrew Bible

22.1. Reconsidering the Concept of Revolutionary Monotheism in Biblical Studies: Locating the Topic in Current Research on the Hebrew Bible and on the Pentateuch

The question of revolutionary monotheism in the Hebrew Bible was hotly debated in the German-speaking realm during the 1950s and 60s. Martin Noth published his *Überlieferungsgeschichte des Pentateuch* (ET: *History of the Pentateuchal Traditions*) in 1948, which proposed that the only historical clue about the figure of Moses might be found in his unknown burial site somewhere in Moab. This proposal implied that the historical Moses could no longer be considered the founder of a religion. Noth made this conclusion explicit in a footnote in his *Geschichte Israels* two years later: “To describe him as the ‘founder of a religion,’ or even to speak of a ‘Mosaic religion,’ is quite misleading and incompatible with the Moses tradition as it was developed later on.”¹ In response, American scholars labeled Noth a “nihilist,” a characterization that seems overexaggerated today.² Nor was

1. Martin Noth, *The History of Israel*, rev. trans. ed. Peter R. Ackroyd (New York: Harper & Brothers, 1959), 136 n. 3.

2. Martin Noth refers in his article “Der Beitrag der Archäologie zur Geschichte Israels,” in *Congress Volume Oxford 1959*, VTSup 7 (Leiden: Brill, 1960), 263 n. 1, to William F. Albright, “The Israelite Conquest of Canaan in the Light of Archaeology,” *BASOR* 74 (1939): 12; John Bright, *Early Israel in Recent History Writing: A Study in Method*, SBT 19 (London: SCM, 1956), 15, 52, 54, 64, 67, 72, 82, 83, 87; William F. Stinespring, review of *Early Israel in Recent History Writing*, by John Bright, *JBL* 76 (1957): 249; William L. Reed, review of *Biblical Archaeology*, by George Ernest Wright, *JBL* 77 (1958): 78–80; but also to Johannes Hempel, “Zusammenfassung und Einzel-forschung in der Archäologie,” *ZAW* 70 (1958): 169, as calling him nihilistic.

Noth's position well received in the German-speaking realm. Klaus Koch was the only major voice that accepted and worked out the consequences of Noth's theory. He published an article in 1962 entitled: "Der Tod des Religionsstifters."³ In this text, Koch, following Noth, clearly denies that ancient Israelite religion was founded by a religious genius, and he tries to develop an alternative approach for understanding the rise of biblical monotheism in its ancient Near Eastern context. In other words, he was reconsidering the concept of revolutionary monotheism. In his time, Koch had little impact on biblical scholarship. His article received a hostile response from Friedrich Baumgärtel, who reasserted the traditional view.⁴ So the debate on reconsidering the concept of revolutionary monotheism in the 1960s encountered a fate similar to its biblical protagonist: it was buried.

Circumstances today are quite different.⁵ Consideration of the emergence and different shapes of monotheism is flourishing in biblical and

3. Klaus Koch, "Der Tod des Religionsstifters: Erwägungen über das Verhältnis Israels zur Geschichte der altorientalischen Religionen," *KD* 8 (1962): 100–123; repr. in *Studien zur alttestamentlichen und altorientalischen Religionsgeschichte: Zum 60. Geburtstag von Klaus Koch herausgegeben von Eckart Otto* (Göttingen: Vandenhoeck & Ruprecht, 1988), 32–60. See, e.g., 36–37: "In my view, the conclusions of this insight [sc. of Noth] have not yet been drawn for Old Testament theology. If Moses is removed from those fundamental traditions, then more than just one of the leading personalities in the exodus and Sinai events falls away. The proposition, undisputed for centuries, that the Israelite religion is a *foundational religion* also falls.... *The idea of Moses the founder of religion is dead and remains dead*" ("Die Folgerungen dieser Erkenntnis [sc. Noths] sind für die alttestamentliche Theologie m.W. noch nirgends gezogen worden. Scheidet Mose aus jenen grundlegenden Überlieferungen aus, so fällt damit mehr als nur eine Führerpersönlichkeit im Auszugs- und Sinaigeschehen. Es fällt der jahrhundertlang unbestrittene Satz, dass die israelitische Religion eine *Stiftungsreligion* sei...: *Die Vorstellung von Mose dem Religionsstifter ist tot und bleibt tot*") (emphasis original).

4. Friedrich Baumgärtel, "Der Tod des Religionsstifters: Erwägungen über das Verhältnis Israels zur Geschichte der altorientalischen Religionen," *KD* 9 (1963): 223–33.

5. See Othmar Keel et al., ed., *Monotheismus im Alten Israel und seiner Umwelt*, BibB 14 (Fribourg: Schweizerisches Katholisches Bibelwerk, 1980); Bernhard Lang, ed., *Der einzige Gott: Die Geburt des biblischen Monotheismus* (Munich: Kaiser, 1981); Ernst Haag, ed., *Gott der einzige: Zur Entstehung des Monotheismus in Israel*, QD 104 (Freiburg im Breisgau: Herder, 1985); Manfred Weippert, "Synkretismus und Monotheismus: Religionsinterne Konfliktbewältigung im alten Israel," in *Jahwe und die anderen Götter: Studien zur Religionsgeschichte des antiken Israel in ihrem syrisch-palästinischen Kontext*, FAT 18 (Tübingen: Mohr Siebeck, 1997), 1–24; Johannes C. de Moor, *The Rise*

ancient Near Eastern studies.⁶ Koch's article would have been—and indeed

of *Yahwism: The Roots of Israelite Monotheism*, BETL 91 (Leuven: Peeters, 1990); Mark S. Smith, *The Early History of God: Yahweh and the Other Deities in Ancient Israel* (San Francisco: Harper & Row, 1990; 2nd ed., Dearborn, MI: Dove, 2002); Smith, *The Origins of Biblical Monotheism: Israel's Polytheistic Background and the Ugaritic Texts* (Oxford: Oxford University Press, 2000); Othmar Keel and Christoph Uehlinger, *Göttingen, Götter und Gottessymbole: Neue Erkenntnisse zur Religionsgeschichte Kanaans und Israels aufgrund bislang unerschlossener ikonographischer Quellen*, 5th ed., QD 134 (Freiburg im Breisgau: Herder, 2001); trans. as *Gods, Goddesses, and Images of God in Ancient Israel*, trans. Thomas H. Trapp (Minneapolis: Fortress, 1998); Walter Dietrich and Martin A. Klopfenstein, ed., *Ein Gott allein? JHWH-Verehrung und biblischer Monotheismus im Kontext der israelitischen und altorientalischen Religionsgeschichte*, OBO 139 (Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 1994); Christian Frevel, *Aschera und der Ausschliesslichkeitsanspruch JHWHs*, BBB 94.1.2 (Weinheim: Beltz, 1995); Fritz Stolz, *Einführung in den biblischen Monotheismus* (Darmstadt: Wissenschaftliche Buchgesellschaft, 1996); Diana Vikander Edelman, *The Triumph of "Elohim": From Yahwisms to Judaisms*, CBET 13 (Kampen: Kok, 1995); Robert K. Gnuse, *No Other Gods: Emergent Monotheism in Israel*, JSOTSup 241 (Sheffield: Sheffield Academic, 1997); Matthias Köckert, "Von einem zum einzigen Gott: Zur Diskussion der Religionsgeschichte Israels," *BTZ* 15 (1998): 137–75; Köckert, "Wandlungen Gottes im antiken Israel," *BTZ* 22 (2005): 3–36; Martin Beck, *Elia und die Monolatrie: Ein Beitrag zur religionsgeschichtlichen Rückfrage nach dem vorschriftprophetischen Jahweglauben*, BZAW 281 (Berlin: de Gruyter, 1999); Juha Pakkala, *Intolerant Monolatry in the Deuteronomistic History*, 2nd ed., PFES 76 (Helsinki: Finnish Exegetical Society; Göttingen: Vandenhoeck & Ruprecht, 2007); William H. Propp, "Monotheism and Moses," *UF* 31 (1999): 537–75; Matthias Albani, *Der eine Gott und die himmlischen Heerscharen: Zur Begründung des Monotheismus bei Deuterjesaja im Horizont der Astralisierung des Gottesverständnisses im Alten Orient*, ABIG 1 (Leipzig: Evangelische Verlagsanstalt, 2000); Bob Becking et al., ed., *Only One God? Monotheism in Ancient Israel and the Veneration of the Goddess Asherah*, BibSem 77 (Sheffield: Sheffield Academic, 2001); Ziony Zevit, *The Religions of Ancient Israel: A Synthesis of Parallactic Approaches* (London: Continuum, 2001); Rainer Albertz, "Jahwe allein! Israels Weg zum Monotheismus und dessen theologische Bedeutung," in *Geschichte und Theologie: Studien zur Exegese des Alten Testaments und zur Religionsgeschichte Israels*, BZAW 326 (Berlin: de Gruyter, 2003), 359–82; Erich Zenger, "Der Monotheismus Israels: Entstehung-Profil-Relevanz," in *Ist der Glaube Feind der Freiheit? Die neue Debatte um den Monotheismus*, ed. Thomas Söding, QD 196 (Freiburg im Breisgau: Herder, 2003), 9–52.

6. See Erik Hornung, *Der Eine und die Vielen: Ägyptische Gottesvorstellungen*, 5th ed. (Darmstadt: Wissenschaftliche Buchgesellschaft, 1994); trans. as *Conceptions of God in Ancient Egypt: The One and the Many*, trans. John Baines (Ithaca, NY: Cornell University Press, 1982); Jan Assmann, "Arbeit am Polytheismus: Die Idee der Einheit Gottes und die Entfaltung des theologischen Diskurses in Ägypten," in *Theologen*

is—much better received today, over half a century later. As a result of dramatic developments in biblical scholarship in the last thirty years, especially in the understanding of ancient Israelite religion, it no longer seems nihilistic to conclude that biblical monotheism has a complex intellectual history (rather than simply being a Mosaic institution).

Seen in terms of the history of scholarship, the most recent discussions (at least in the German-speaking realm) are returning in some respect to the state of the discussion at the very beginning of the twentieth century, which was mainly shaped by the *Religionsgeschichtliche Schule*.⁷ The development of the different articles on “Monotheism and Polytheism” in the second, third, and fourth editions of the lexicon *Religion in Geschichte und Gegenwart* illuminates this progression.⁸

In the second edition (1930) Max Haller writes: “Monotheism as a distinctive doctrine of the existence of one god is first attested in the exilic period.”⁹ In the third edition (1960), Friedrich Baumgärtel takes a contrary position, arguing that biblical monotheism is a Mosaic institution.¹⁰ No

und Theologien in verschiedenen Kulturkreisen, ed. Heinrich von Stietencron (Düsseldorf: Patmos, 1986), 46–69; Assmann, *Monotheismus und Kosmotheismus: Ägyptische Formen eines “Denkens des Einen” und ihre europäische Rezeptionsgeschichte*, SHAW (Heidelberg: Winter, 1993); Assmann, “Moses und Echnaton: Religionsstifter im Zeichen der Wahrheit,” in *Religion und Wahrheit: Religionsgeschichtliche Studien, Festschrift Gernot Wiessner*, ed. Bärbel Köhler (Wiesbaden: Harassowitz, 1998), 33–44; Barbara Nevling Porter, ed., *One God or Many? Concepts of Divinity in the Ancient World*, Transactions of the Casco Bay Institute 1 (Casco Bay, ME: Casco Bay Assyriological Institute, 2000); Jürgen van Oorschot and Manfred Krebernik, eds., *Polytheismus und Monotheismus in den Religionen des Vorderen Orients*, AOAT 298 (Münster: Ugarit-Verlag, 2002).

7. Gerd Lüdemann and Alf Özen, “Religionsgeschichtliche Schule,” *TRE* 28:618–24. See for the following also Konrad Schmid, “Differenzierungen und Konzeptualisierungen der Einheit Gottes in der Religions- und Literaturgeschichte Israels: Methodische, religionsgeschichtliche und exegetische Aspekte zur neueren Diskussion um den sogenannten ‘Monotheismus’ im antiken Israel,” in *Der eine Gott und die Götter: Polytheismus und Monotheismus im antiken Israel*, ed. Manfred Oeming and Konrad Schmid, ATANT 82 (Zurich: TVZ, 2003), 11–38.

8. Max Haller, “Monotheismus und Polytheismus II. Im AT,” *RGG*² 4:192–94; Friedrich Baumgärtel, “Monotheismus und Polytheismus II. Im AT,” *RGG*³ 4:1114; Hans-Peter Müller, “Monotheismus und Polytheismus II. Im AT,” *RGG* 5:1459–62.

9. Haller, “Monotheismus,” 192: “M.[onotheismus] als bestimmt formulierte Lehre vom Dasein eines einzigen Gottes lässt sich erst vom Exil an belegen.” Unless otherwise noted, all translations are mine.

10. Baumgärtel, “Monotheismus,” 1114.

wonder Baumgärtel strongly opposed Koch's 1962 article. He states: "The monotheism of Old Testament religion follows necessarily from its foundational understanding of God. This understanding causes Old Testament religion to stick out like an erratic block in the midst of the religions of the surrounding cultures."¹¹ However, in the fourth edition (2002), Hans-Peter Müller writes: "A reflective monotheism first arises as an answer to the crisis of exile."¹²

What happened from the second to the third and fourth editions of *Religion in Geschichte und Gegenwart*? First, the overall theological climate changed significantly during the twentieth and early twenty-first century. *Religion in Geschichte und Gegenwart* in its first and second edition was shaped by the *Religionsgeschichtliche Schule*, while the third edition was controlled by Neo-Orthodox theology, which was the mainstream of post-World War II Protestantism in Germany. Hebrew Bible scholarship was influenced heavily by this movement and tried to extrapolate the main convictions of Neo-Orthodox theology into ancient Israelite religion: God's revelation is *totaliter aliter*, coming down vertically from heaven.¹³

Today the overall situation in theology is much more pluralistic, and it is harder to find such an obvious bias shaping historical inquiries into the Bible. Most important, however, is the fact that in the last thirty years, a significant amount of new archaeological evidence has appeared.¹⁴ This new evidence has dramatically changed the picture of ancient Israelite and Judean religion in the monarchic period. Nevertheless, it is unclear

11. Baumgärtel, "Monotheismus," 1113: "Der M.[onotheismus] in der at. Religion ist zwangsläufige Folge ihres Grundverständnisses von Gott, mit dem sie wie ein erratischer Block aus den Umweltreligionen herausragt."

12. Müller, "Monotheismus," 1461: "Einen reflektierten M.[onotheismus] gibt es erst als Antwort auf die Exilskrise."

13. See, e.g., Gerhard von Rad, *Theologie des Alten Testaments*, 2nd ed., 2 vols. (Munich: Kaiser, 1958–1960), 1:39, 117–42, 2:120; von Rad, "The Theological Problem of the Old Testament Doctrine of Creation," in *The Problem of the Hexateuch and Other Essays*, trans. E. W. Trueman Dicken (Edinburgh: Oliver & Boyd, 1966), 131–43. See also Bernd Janowski, "JHWH und der Sonnengott: Aspekte der Solarisierung JHWHs in vorexilischer Zeit," in *Pluralismus und Identität*, ed. Joachim Mehlhausen (Gütersloh: Gütersloher Verlagshaus, 1995), 214–41.

14. See the overviews provided by Christof Hardmeier, ed., *Steine-Bilder-Texte: Historische Evidenz ausserbiblischer und biblischer Quellen*, ABIG 5 (Leipzig: Evangelische Verlagsanstalt, 2001); Zevit, *Religions*; Friedhelm Hartenstein, "Religionsgeschichte Israels—ein Überblick über die Forschung seit 1990," VF 48 (2003): 5.

whether this religion was polytheistic, as scholars like Manfred Weippert hold, or whether it was already somewhat monotheistic.¹⁵

The main difficulty is the following: the more scholars use the terms *monotheism* and *polytheism*, the less comfortable they are with them. It has become quite clear that the term monotheism (which stems from English seventeenth-century Deism) cannot adequately describe the religious landscapes of the ancient world.¹⁶ In addition, monotheistic positions can vary considerably. The result has often been to speak of “monotheisms” in the plural. The notion of polytheism is even more problematic because it is an aggressive and deprecating category used by the Christian-controlled academy of the nineteenth century. This is made explicit, for example, by the *Realenzyklopädie für protestantische Theologie und Kirche* from 1904, which states bluntly that polytheism is “the academic term for what is elsewhere called idolatrousness, idolatry, or heathendom.”¹⁷

The danger of falling back in the evolutionary matrix that was originally implied by the terms polytheism and monotheism remains.¹⁸ If terms such as monotheism are used with respect to particular texts or positions, then it is crucial to explain the specific shape of this monotheism.

With these concerns in mind, the following section will present some monotheistic argumentations in the so-called Priestly code (P), one of the main sources or even the main source of the Pentateuch in order to gain a better understanding of its particular monotheism.¹⁹ The reason

15. Weippert, “Synkretismus und Monotheismus,” 1–24; Zenger, “Der Monotheismus Israels.”

16. See Gregor Ahn, “Monotheismus’–‘Polytheismus’: Grenzen und Möglichkeiten einer Klassifikation von Gottesvorstellungen,” in *Mesopotamica–Ugaritica–Biblica: Festschrift für Kurt Bergerhof zur Vollendung seines 70. Lebensjahres am 7. Mai 1992*, ed. Manfred Dietrich and Oswald Loretz, AOAT 232 (Kevelaer: Butzon & Bercker; Neukirchen-Vluyn: Neukirchener Verlag, 1993), 1–24.

17. Otto Zöckler, “Polytheismus,” *Realencyclopädie für protestantische Theologie und Kirche*, ed. Albert Hauck, 3rd ed. (Leipzig: Hinrichs, 1904), 15:538: “der gelehrte Name für das, was sonst Abgötterei, Götzendienst oder Heidentum genannt wird.”

18. See Ahn, “Monotheismus’–‘Polytheismus’”; Stolz, *Einführung*.

19. For the present state of discussion on P, see esp. Klaus Koch, “P—kein Redaktor! Erinnerung an zwei Eckdaten der Quellenscheidung,” *VT* 37 (1987): 446–67; Thomas Pola, *Die ursprüngliche Priesterschrift: Beobachtungen zur Literarkritik und Traditionsgeschichte von Pg*, WMANT 70 (Neukirchen-Vluyn: Neukirchener Verlag, 1995); Eckart Otto, “Forschungen zur Priesterschrift,” *TRu* 62 (1997): 1–50;

for the choice of the Priestly code will become immediately clear in the following sections.

22.2. The Priestly Code in Biblical Studies: Epigone or Innovator?

The Priestly code, which was probably an independent text before it was worked into the Pentateuch, is generally dated to the late sixth century BCE (the early Persian period). As a result of the predominance of the so-called Documentary Hypothesis, the Priestly code and its theology have been treated as a stepchild and received little attention. The Priestly code was considered a mere epigone to its earlier forerunners, the Yahwistic and the Elohist works (J and E). This is especially true with regard to the Priestly code's monotheism.

According to the Documentary Hypothesis, the Yahwist (dating to the Solomonic period or perhaps one to two centuries later) had already told the whole story of the Hexateuch, which reached from creation to the ancestors, the exodus, and the conquest. The Yahwist had already synthesized or even presupposed YHWH, the biblical God, as the God of creation, the one bringing the flood, the one rescuing humankind from the flood, and the one giving promises to Israel and leading Israel out of Egypt.

In addition Hebrew Bible scholarship assumed that the Yahwist already reworked divergent mythological material toward a somewhat monotheistic notion of God. While the mythological material behind Genesis was

Erich Zenger, “Priesterschrift,” *TRE* 27:435–46. As for P's theology see Walther Zimmerli, “Sinaibund und Abrahambund: Ein Beitrag zum Verständnis der Priesterschrift,” *TZ* 16 (1960): 268–80; repr., *Gottes Offenbarung: Gesammelte Aufsätze zum Alten Testament*, TB 19 (Munich: Kaiser, 1963) 205–17; Norbert Lohfink, “Die Priesterschrift und die Geschichte,” in *Congress Volume Göttingen 1977*, ed. John A. Emerton, VTSup 29 (Leiden: Brill, 1978), 183–225; repr. in *Studien zum Pentateuch*, SBAB 4 (Stuttgart: Katholisches Bibelwerk, 1988), 213–53; Bernd Janowski, *Sühne als Heilsgeschehen: Traditions- und religionsgeschichtliche Studien zur Sühnetheologie der Priesterschrift*, 2nd ed., WMANT 55 (Neukirchen-Vluyn: Neukirchener Verlag, 2000); Janowski, “Tempel und Schöpfung: Schöpfungstheologische Aspekte der priesterschriftlichen Heiligtumskonzeption,” *JBTh* 5 (1990): 37–69; repr., *Gottes Gegenwart in Israel: Beiträge zur Theologie des Alten Testaments* (Neukirchen-Vluyn: Neukirchener Verlag, 1993), 214–46; Konrad Schmid, *Literaturgeschichte des Alten Testaments: Eine Einführung* (Darmstadt: Wissenschaftliche Buchgesellschaft, 2008), 146–50.

familiar with various deities that were linked to the creation of the world, to the flood, to the rescue of humankind from it, the Yahwist, according to the traditional assumption, concentrated all these functions in one single deity.²⁰ Moreover, he identified this one deity from Gen 12 onward with the God of Israel.

For the Documentary Hypothesis, the first author in the Pentateuch—that is, the Yahwist—was therefore already an early though vague monotheist. This meant that the monotheism of the Priestly code was no innovation. If the Priestly texts are termed monotheistic, then this is mainly because they are drawing upon the Yahwist.

However, recent—at least European—scholarship on the Pentateuch has become increasingly hesitant about the common notions of a Yahwistic or an Elohist work stemming from the monarchic period. In the 1970s scholars began moving the date of the Yahwist later by a couple centuries, making him into an exilic author.²¹ Moreover, in the last decade serious doubts have arisen about whether the Yahwist can still be detected beyond the book of Genesis as a coherent and continuous textual layer. This proposal contradicts the standard definition of the Yahwist as a pre-Priestly source running at least from the book of Genesis through the book of Numbers.²² The discussion on this point is now documented in two volumes, *Abschied vom Jahwisten* and *A Farewell to the Yahwist*.²³ It is helpful

20. See Othmar Keel, “Jahwe in der Rolle der Muttergöttheit,” *Orientierung* 53 (1989): 89–92; Norbert Clemens Baumgart, *Die Umkehr des Schöpfergottes: Zu Komposition und religionsgeschichtlichem Hintergrund von Gen 5–9*, HBS 22 (Freiburg im Breisgau: Herder, 1999), 419–95.

21. John Van Seters, *Abraham in History and Tradition* (New Haven: Yale University Press, 1975); Hans Heinrich Schmid, *Der sogenannte Jahwist: Beobachtungen und Fragen zur Pentateuchforschung* (Zurich: TVZ, 1976); see also Rolf Rendtorff, *The Problem of the Process of Transmission in the Pentateuch*, trans. John J. Scullion, JSOT-Sup 89 (Sheffield: Sheffield Academic, 1990); trans. of *Das überlieferungsgeschichtliche Problem des Pentateuch*, BZAW 147 (Berlin: de Gruyter, 1977).

22. Konrad Schmid, *Genesis and the Moses Story: Israel's Dual Origins in the Hebrew Bible*, Siphut 3 (Winona Lake, IN: Eisenbrauns, 2010); trans. of *Erzväter und Exodus: Untersuchungen zur doppelten Begründung der Ursprünge Israels innerhalb der Geschichtsbücher des Alten Testaments*, WMANT 81 (Neukirchen-Vluyn: Neukirchener Verlag, 1999); Jan C. Gertz, *Tradition und Redaktion in der Exoduserzählung: Untersuchungen zur Endredaktion des Pentateuch*, FRLANT 186 (Göttingen: Vandenhoeck & Ruprecht, 2000).

23. Jan C. Gertz, Konrad Schmid, and Markus Witte, eds., *Abschied vom Jahwisten: Die Komposition des Hexateuch in der jüngsten Diskussion*, BZAW 315 (Berlin:

to note that the English title is followed by a question mark in order to indicate that the farewell to the Yahwist is more controversial in American biblical scholarship than in its European counterpart.

According to these newer perspectives on the Pentateuch, the Priestly code might have played a much more important role in the composition of the Pentateuch than formerly assumed. Whether or not this is the case, it is sufficient for the purposes of this paper to consider that the Priestly code does not need to be a mere epigone but might also be an innovator. Indeed, there are some clear hints that favor the innovator option. For the Priestly code, it is possible to show what has traditionally only been postulated for the Yahwist: there is evidence for some very basic synthetic features in the Priestly code that aim to link the various themes of the Pentateuch both literarily and theologically. More precisely, clear theological arguments can be found in the Priestly code that implicitly and explicitly connect the God of creation, the God of the ancestors, and the God of the exodus and identify him as the one and only God.

22.3. Arguments for the Unity of God in the Priestly Code: The Bridging of the Main Themes of the Pentateuch in the Priestly Code

One of the most interesting and well-known Priestly passages that connects the ancestors’ story in Genesis with the Moses story can be found in Exod 6:2–3. In the context of his commissioning as the leader in the exodus out of Egypt, God tells Moses:

אני יהוה
וארא אל־אברהם אל־יצחק ואל־יעקב באל שדי
ושמי יהוה
לא נודעתי להם

- A I am YHWH.
- B And I appeared unto Abraham, unto Isaac, and unto Jacob as El Shaddai.
- A’ But my name is YHWH.
- B’ I have not made myself known to them.

de Gruyter, 2002); Thomas B. Dozeman and Konrad Schmid, eds., *A Farewell to the Yahwist? The Composition of the Pentateuch in Recent European Interpretation*, SymS 34 (Atlanta: Society of Biblical Literature, 2006).

The grammatical problems of the verse have been frequently discussed.²⁴ Usually the latter part is interpreted as a sentence with a double subject (שם/יהוה). To my mind, the parallelism in 6:2–3 as identified in the chart above (A, B, A', B') supports another solution. The accentuation (*zaqeph qaton* after ושמ יהוה) probably indicates a similar reading by the Masoretes: “My name is YHWH; I did not reveal myself to them.” This translation, however, is not crucial for the following argumentation, which also remains valid with the traditional understanding of that verse.

Exodus 6:3 explains why the Tetragrammaton is used in the Priestly texts only from this text reference onward. For the ancestors in Genesis, God appears as El Shadday; for the Moses generation, God is YHWH. One could discuss many features of this text here, but one is especially noteworthy: neither the Priestly code itself nor its readers seem completely familiar with the unity of the God of the ancestors Abraham, Isaac and Jacob in the book of Genesis and the God of the exodus. Rather, this theory of a staged revelation in Exod 6:3 seems to reflect a certain diversity in the theological shape of the pre-Priestly ancestors tradition and the exodus tradition. Exodus 6:3 is an attempt to mediate between the God of the ancestors and the God of the exodus. This is especially noteworthy since the Priestly code—with regard to its own theological conception—actually has little interest in separating the ancestors and the Moses period from one another.²⁵ In the Priestly code, Israel’s theological foundation is the covenant with Abraham (Gen 17), and the Moses period is bound closely to this covenant. Therefore, it is unconvincing to explain Exod 6:3 merely as a narrative or literary device. Exodus 6:3 thus seems to indicate that different blocks of tradition in the Bible needed to be reconciled in terms of their notions of God even in the time of the Priestly code during the early Persian period.

In Exod 6:3 the synthetic intention of the Priestly code can be grasped on the surface of the text. Furthermore, there are also several implicit argumentations in the Priestly code where texts establish a mediation and connection between the different themes of the Pentateuch in order to stress the identity of the deity acting behind the scenes.

One such example can be found in the Priestly narrative of the crossing of the Sea. Exodus 14:22 reads as follows:

24. See *GKC* §144lm; and especially W. Randall Garr, “The Grammar and Interpretation of Exodus 6:3,” *JBL* 111 (1992): 385–408.

25. See Zimmerli, “Sinaibund.”

ויבאו בני־ישראל בתוך הים ביבשה והמים להם חמה מימינם ומשמאלם

The Israelites went into the sea *on dry ground*, the waters forming a wall for them on their right and on their left.

In the crossing of the sea, the Israelites went on dry ground, in Hebrew: *ביבשה*. The term *יבשה* only appears once in the Priestly Code before Exod 14:22. This is the statement in Gen 1:9, in the Priestly account of the creation:

ויאמר אלהים יקוו המים מתחת השמים אל־מקום אחד ותראה היבשה ויהי־כן

And God said, “Let the waters under the sky be gathered together into one place, and let *the dry ground* appear.” And it was so.

In the miracle at the Sea of Reeds something similar to the third day of creation happens: the dry ground can be seen. This is hardly pure accident. Rather, the Priestly code intends to present this miracle in the same mold as the creational activity of God during the very first days of creation. Moreover, readers can learn from the miracle at the sea that the God who saved Israel from the Egyptians was none other than the one who created heaven and earth.

Exodus 1:7, a (nearly) undisputed Priestly text, presents a similar implicit argument:²⁶

ובני ישראל פרו וישרצו וירבו ויעצמו במאד מאד ותמלא הארץ אתם

But the Israelites *were fruitful* and prolific; they *multiplied* and grew exceedingly strong, so that *the land was filled* with them.

This text is strongly reminiscent of several key passages from Genesis, all of which belong to P. First, it alludes to the divine commandment in Gen 1:28:

פרו ורבו ומלאו את־הארץ

Be fruitful and multiply, and fill the earth.

This commandment is repeated after the flood (Gen 9:1), where it is addressed to Noah and his family.

26. See Gertz, *Tradition und Redaktion*, 366–68; differently however John Van Seters, *The Life of Moses: The Yahwist as Historian in Exodus–Numbers* (Louisville: Westminster John Knox, 1994), 19–21.

פרו ורבו ומלאו את־הארץ

Be fruitful and multiply, and fill the earth.

The increase of the Israelites seems to be shaped as a partial fulfillment of the commandments in Gen 1:28 and 9:1. Again it is clear: the increase of the Israelites in Egypt has a creational quality, and it is the god of Gen 1 and 9 who effectuates this increase. This is not stated explicitly, but it can be assumed from the intertextual network. It is also fairly obvious from the statement that follows in Exod 1:12:

וכאשר יענו אתו כן ירבה וכן יפרץ ויקצו מפני בני ישראל

But the more they were oppressed, the more they multiplied and spread, so that the Egyptians came to dread the Israelites.

There is no natural logic to the multiplication of the Israelites; they multiply, even though they are oppressed. The reader, however, knows that there is divine agency. In addition, the reader knows from previous readings that this is an act of God, the creator of heaven and earth.

Another observation can be added to this. Exodus 1:7 also uses the root שרץ “to be prolific” or “to swarm,” which the Bible normally only applies to animals, especially to insects. The only other instance in the Bible where שרץ is applied to humans is Gen 9:7:

פרו ורבו שרצו בארץ

Be fruitful and multiply and be prolific, and fill the earth.

This suggests that Exod 1:7 not only reflects upon Gen 1:28 and 9:1, but also on Gen 9:7. Why? Again, a hidden agenda can be detected behind the specific formulation of both Gen 9:7 on the one hand and Exod 1:7 on the other hand. In Gen 9:7, the root שרץ is probably used to stress the almost explosive multiplication of the human beings after the flood, because only one chapter later, in Gen 10, the large Table of Nations populating the earth implies that the earth must already be fully populated.²⁷ The use of שרץ in Exod 1:7 has a similar function: in Exod 1:5, the family of Jacob, comprising no more than seventy persons, is reported to have immigrated

27. Bernard Gosse, “Transitions rédactionnelles de l’histoire des clans à l’histoire des peuples en Ex 1,7; 2,24b,” *EstBib* 51 (1993): 163–70; Gosse, “Moïse entre l’alliance des patriarches et celle du Sinaï,” *SJOT* 11 (1997): 4.

into Egypt. Seven verses later (Exod 1:12) this family needs to have become the full blown people that pharaoh now fears. Apparently, the Priestly code saw a biological problem here that it solved by introducing the root שרץ. This term makes clear that the sudden increase of the Israelite people in Exod 1 is far from a regular process, it instead results from divine agency. Moreover, it is the same process that led to the sudden repopulation of the world after the flood in Gen 9–10, suggesting again that the God of the exodus is the same as the God of the primeval history.

These connections between the main themes of the Pentateuch in the Priestly code show how the Priestly code strives to synthesize its received traditions into a unified notion of God. The God of creation, the God of the ancestors, and the God of the exodus are not different deities, but one. In each scenario the character of God as creator is stressed: whether God acts in Israel or Egypt, he does so as the God of creation.²⁸

22.4. Arguments for the Uniqueness of God in the Priestly Code: The Priestly Use of the Term *Elohim*

Yet even more important for understanding the Priestly concept of monotheism is an elementary observation on the philological use of the term for God, *Elohim*, in the Priestly code. Exodus 6:3 relates El Shadday and YHWH to one another, making El Shadday and YHWH two different modes of revelation for the same God. This God, however, is first introduced in the Priestly code neither as El Shadday nor YHWH but as *Elohim*.

This observation belongs to the main arguments for historical-critical scholarship on the Bible. While the term *Elohim* played a major role in the historical reconstruction of sources behind the present text (especially of Genesis and Exodus), until very recently scholars have generally failed to consider the theological significance of this usage of the term. In an article from 2002, Albert de Pury considers the intellectual power of the Priestly notion of God.²⁹ *Elohim* is a Hebrew noun that can mean either “god”

28. It would be tempting to ask corresponding questions concerning the monotheistic reworking of Babylonian mythology in the Priestly texts, but this complex problem cannot be addressed here. See the bibliography in n. 22, above, and Andreas Schüle, *Der Prolog der hebräischen Bibel: Der literar- und theologiegeschichtliche Diskurs der Urgeschichte (Gen 1–11)*, ATANT 86 (Zurich: TVZ, 2006), 323–28.

29. Albert de Pury, “Gottesname, Gottesbezeichnung und Gottesbegriff: ‘Elohim’ als Indiz zur Entstehungsgeschichte des Pentateuch,” in Gertz, Schmid, and Witte,

(often interpreted as a so-called plural of majesty)³⁰ or “gods.” Elohim—without the article—would therefore be translated as “a god” or “gods.” However, neither of these translations is adequate for the Priestly code, as is immediately evident from Gen 1:1:

בראשית ברא אלהים את השמים ואת הארץ

In the beginning God created the heaven and the earth.

In this verse, Elohim can be translated neither “a god” nor “gods” but obviously means “God.” In Gen 1 and elsewhere in the Priestly code, Elohim is always construed with singular predicates.³¹

While this is all well known, it is still necessary to stress the grammatical peculiarity of the Priestly code’s use of Elohim in Gen 1. If Elohim does not mean “a god” or “gods,” but “God” (capitalized), then Elohim is used here like a determined noun, even though Elohim is morphologically undetermined. The determination of Elohim in Gen 1 is not established by an article. Elohim seems here to be sufficiently determined on its own. Of course, such a determination of Elohim is different than the regular kind of determination established by the definite article. Elohim and HaElohim need to be distinguished one from another. Elohim does not mean “the god” (meaning this one in the midst of other gods), but just “God” (capitalized), as the one and only God.

This evidence means—and this is the crucial point—that the Priestly code uses Elohim as a proper noun because only proper nouns are nouns that are sufficiently determined by themselves to obviate the need for the article (*GKC* §125ac). The reason why a proper noun, at least normally, cannot be combined with an article lies in the elementary fact that proper nouns by definition refer to entities that exist only in the quantity one. Exceptions such as “Tonight, he was not the Larry King we knew” do not speak against this. Rather, they show that a language can also play on proper nouns and use them artificially like common nouns.

Abschied vom Jahwisten, 25–47, see n. 25; see also de Pury, “Wie und wann wurde ‘der Gott’ zu ‘Gott’?,” in *Gott Nennen: Gottes Namen und Gott als Name*, ed. Ingolf U. Dalferth and Philipp Stoellger, RPT 35 (Tübingen: Mohr Siebeck, 2008), 121–42.

30. Joel S. Burnett, *A Reassessment of Biblical “Elohim,”* SBLDS 183 (Atlanta: Society of Biblical Literature, 2001), 23, proposes the notion of a “concretized abstract plural.”

31. For exceptions, see *GKC* §145i: Gen 20:13; 31:53; 35:7; Josh 24:19.

This specific use of Elohim as a proper noun in the Priestly code has been noted several times in biblical scholarship, also making its way into the dictionaries (although with different emphasis).

DCH (David J.A. Clines): אֱלֹהִים “n.m.pl.,” “God, in ref. to Y.”³²

DDD (Karel van der Toorn): אֱלֹהִים “developed the function of a proper name.”³³

ThWAT/TDOT (Helmer Ringgren): “אֱלֹהִים eventually became nothing more than a designation for YHWH.”³⁴

HAL (Ludwig Köhler/Walter Baumgartner): אֱלֹהִים “like a proper noun”³⁵

Gesenius 18th edition (H. Donner): אֱלֹהִים “proper noun God”³⁶

However, scholars have often failed to recognize the fundamental significance of the Priestly notion of Elohim. Apparently, by using Elohim as a proper noun, the Priestly code identifies the category Elohim, meaning the class of “gods,” with its sole representative, Elohim/God (capitalized). The only one who *is* Elohim can therefore be *named* Elohim. In English, one should therefore translate Elohim in Gen 1 as “God” (capitalized). In German, it would even be necessary to render Elohim by *GOTT*, written all in uppercase letters, because in German every common noun is capitalized.

This may sound trivial to some, but a glance into the most common English Bible translation, the NRSV, reveals that this is apparently not the case. Of course, “God” (capitalized) is the standard translation for Elohim in Gen 1. But according to what has been said, the construct absolute chain רוח אֱלֹהִים (Gen 1:2) “the spirit of God” and צֶלֶם אֱלֹהִים (Gen 1:27) “the image of God” need to be interpreted as determined terms as well. In Gen 1:2 however, the NRSV renders רוח אֱלֹהִים as “while a wind from God swept over the face of the waters.” At least a footnote also admits the possi-

32. *DCH* 1:277–78.

33. Karel van der Toorn, “God (I) אֱלֹהִים,” *DDD*, 353.

34. Helmer Ringgren, “אֱלֹהִים,” *ThWAT* 1:304: “Schließlich ist אֱלֹהִים einfach zur Bezeichnung JHWHs geworden”; see *TDOT* 1:284.

35. *HAL* 52: “wie als n. pr.”

36. Wilhelm Gesenius, *Hebräisches und Aramäisches Handwörterbuch über das Alte Testament*, ed. Rudolf Meyer and Herbert Donner, 18th ed. (Berlin: Springer, 1987), 61 [“EIN Gott”].

blities “or while the spirit of God or while a mighty wind.” Later on, in 1:27 NSRV translates **בצלם אלהים** correctly as “in the image of God.”

What does this have to do with the topic of monotheism? This Priestly usage of Elohim as a proper noun is programmatic in terms of an inclusive monotheism. This follows logically from the Priestly code’s decision to consider a category term as a proper noun. If the only God coincides with the category of “gods,” then it is a logical consequence that all other gods are included in this notion of God (capitalized). Others may venerate him as Zeus or Ahura Mazda, but actually it is just God.

This is also true for the Priestly code’s own account of history. While God is God for the reader of the primeval and the ancestral history in Genesis, God is also El Shadday for Abraham, Isaac and Jacob, and God is finally also YHWH for Israel from the Moses generation onward. According to the Priestly code’s worldview, divine revelation can be described in concentric circles: For the world, God is Elohim. For the Abrahamite peoples, including the Arabs and the Edomites, God is El Shadday. And for Israel, God is YHWH. Apparently the Priestly code’s inclusive monotheistic notion of God does not preclude the possibility of more or less precise manifestations of God. Of course, for the Priestly code, God’s revelation as YHWH is the final and most perfect one. As YHWH, God does not merely appear (**גירא**, as occurs with El Shadday, e.g., in Gen 17:1), but he makes himself known (**גודע**, as Exod 6:3 explicitly states).

It is, however, doubtful whether the Priestly code can historically be seen as the inventor of the usage of Elohim as a proper noun. If so, all instances of determined Elohim without an article in the Old Testament would need to be classified as either Priestly or post-Priestly text.³⁷ This is indeed possible for a large number of instances, especially the Elohistic psalms in Pss 42–83 and the book of Jonah. On the other hand, there are quite a few statements where Elohim is used in a determined manner without an article in Judges, Samuel, and Kings. It would be nothing more than a circular argument to classify these verses as post-Priestly. These instances are easily accessible through

37. Furthermore, it needs to be taken into account that the disciplined use of the article with a determinate meaning is only attested from the eighth century onward. See Andreas Schüle, *Die Syntax der althebräischen Inschriften: Ein Beitrag zur historischen Grammatik des Hebräischen*, AOAT 270 (Münster: Ugarit-Verlag, 2000), 53–54.

an otherwise outdated, but still interesting investigation by Friedrich Baumgärtel.³⁸

However, this interpretation of the use of Elohim as a proper noun can be challenged by redefining the notion of proper noun. For example, Erhard Blum adheres to a certain philological definition that claims that proper nouns are defined by the fact that they have an extension but do not have an intension.³⁹ They refer to something or someone, but they do not imply a meaning. Or, as John Stuart Mill has put it, "we call a proper name ... a word which answers the purpose of showing what thing it is that we are talking about, but not of telling anything about it."⁴⁰ For example, the name Irene refers to a specific person, but it provides no information whatsoever whether this person is "peaceful" or not. And, not every Peter may be as steadfast as a rock, not every "Melany" is black or has black hair and so on.

If one starts out with this kind of definition, then the immediate consequence is indeed to deny the assumption that Elohim is used as a proper noun in the Priestly code. Elohim clearly has an extension *and* an intension. It refers to God while concurrently containing the main information about his character and quality: he is God.

The main problem with this kind of definition of proper nouns is that it considers only semantics but not syntax. Newer linguistic theories argue that the meanings of words are determined primarily by their function within a given sentence and cannot be established by looking at a word in splendid isolation. Therefore, it cannot be decided on the level of semantics and lexicography whether Elohim can be a proper noun or not, which is exactly why dictionary entries on Elohim are so unclear. The meaning of Elohim is a question of its linguistic use and not of lexicography.

An alternative suggestion might be to interpret the use of Elohim in the Priestly code as a title, but this would be misleading. This interpretation gambles away the innovative and creative aspects of Priestly language.

38. Baumgärtel, *Elohim ausserhalb des Pentateuch: Grundlegung zu einer Untersuchung über die Gottesnamen im Pentateuch*, WMANT 19 (Leipzig: Hinrich, 1914), 83–84.

39. Erhard Blum, *Die Komposition der Vätergeschichte*, WMANT 57 (Neukirchen-Vluyn: Neukirchener Verlag, 1984), 471–75; Blum, "Der vermeintliche Gottesname 'Elohim,'" in Dalferth and Stoellger, *Gott Nennen*, 97–119.

40. John Stuart Mill, *A System of Logic Ratiocinative and Inductive: Being a Connected View of the Principles of Evidence and the Methods of Scientific Investigation*, Collected Works 7 (London: Routledge & Kegan Paul, 1973), 33.

Furthermore, it neglects the nongrammatical use of Elohim, where it is used as a determined noun in spite of the article's absence. Therefore, I prefer the given interpretation of Elohim as a proper noun in the Priestly code. While Elohim can be used elsewhere as title or as *nomen appellativum*, it is used as a proper noun in the Priestly code (apart from the **אלהי מצרים**, the "gods of Egypt" in Exod 12:12). It might be that Egypt is a special case for the Priestly code because the Priestly code also contains a plague cycle that aims to force Pharaoh into the knowledge of God, knowledge that the Priestly code suggests Pharaoh already has in a general way. This feature could be explained by the fact that Egypt was not yet a part of the Persian Empire when the Priestly code was composed. Cambyses was only able to incorporate Egypt into Persian dominion in 525 BCE. Therefore, Egypt was not part of the world in the early Persian period that the Priestly code might reflect.

The inclusive theological punchline of this Priestly concept of God can be further substantiated through comparison to the use of Elohim in Second Isaiah, a text complex that is only slightly older than the Priestly code. It is quite possible that the Priestly code was aware of some texts from Second Isaiah and critically adopted Second Isaiah's position.

Isaiah 45:5 states, "I am YHWH, and there is no other; besides me there is no god" (**אני יהוה ואין עוד זולתי אין אלהים**). This statement bears similarities to the Priestly code in that **אלהים** is a category term and this category only has one element. However, in Second Isaiah the category and its only representative are not identified. Rather, they remain distinct from each other. This results in a major theological difference. The Priestly code identification of the category and its only representative develops an inclusive theology: behind all divine manifestations in the different cultures, there is the one and the same Elohim. Second Isaiah, however, argues for a strictly exclusive theology. There is, at least virtually, a broader category of Elohim, but only one member in this category is legitimate. There are no other gods besides YHWH, and all other gods are just pretenders.

22.5. Conclusions: Historical and Sociological Considerations on the Priestly Concept of Inclusive Monotheism

What were the historical motivations and forces that triggered or at least influenced this notion? Apparently there are some very creative intellectual elements in the Priestly code's theology that are not just the result of var-

ious outside influences. On the other hand, there were also some specific historical factors and backgrounds that fostered the Priestly code’s intellectual development of this particular inclusive monotheism.

First, the international political background of the Priestly code requires consideration. This inclusive monotheistic notion of God in the Priestly code may reflect the political circumstances of its authors in the early Persian period. For the Priestly code, the newly established *pax Persica* of Cyrus and Darius could be interpreted as God’s aim in history. The present political situation is the way God meant the world to be: ruled by the one God and administered by the Great King of the Persians. Every people has its cult and its language, but behind these cults there is always one and the same God, Elohim.

It is quite interesting to note that the usage of Elohim in the Priestly code closely parallels the usage of the term βασιλεύς in Herodotus’s *Histories*. The Persian Great King is simply named βασιλεύς—without the article. The noun is obviously still determined. It means “the Persian Great King is *the* king.”⁴¹ There were still other kings in the Persian Empire, but as vassals they are just local and limited representatives of the one Great King. This suggests that the Priestly code somehow reflects the contemporary reception of the Persian political system in theological terms.

In this way the Priestly code is loyal to the Persian hegemony. Without coming into any conflict with the new ruling empire, the Priestly code remains faithful to its own indigenous tradition as well. God stands behind the various divine manifestations of the different peoples, but his manifestations as El Shadday and finally as YHWH are the most adequate and precise ones.

Apart from contemporaneous international political experience, some more specific sociological influences might also have played a role. The Priestly code was written among the Judean priestly intelligentsia that had been deported to Babylonia. These persons probably had contacts to

41. See Walter Burkert, *Die Griechen und der Orient: Von Homer bis zu den Magiern* (Munich: Beck, 2003), 107. Interestingly, Herodotus takes a stance similar to the Priestly code with regard to the general human knowledge of God: “for the people of Heliopolis are accounted the most learned of the Egyptians. As for their relation of divine things, I am not very desirous of declaring fully what they told me, except only the names of these things, for I suppose that all men have equal knowledge of them” (*Hist.* 2.3; trans. Carter).

representatives of Babylonian temples. Whether or not there was direct contact, the Priestly texts show close familiarity with ancient Babylonian science, cosmology, and theology. It might be possible that the Priestly reinterpretation of the traditional Judean deity YHWH as Elohim was formulated upon the somewhat similar career of Marduk, as reflected in *Enuma Elish*.⁴²

Finally, some inner-Judean aspects might also be of some importance. The authors of the Priestly code not only sought the approval of the new world power but also strove to reestablish an overall Israelite identity comprising the people that had remained in the land after the breakdown of Judah and Jerusalem as well as those exiled.

It is quite fair to assume that the people of the land transmitted the ancestors' tradition in Genesis. These stories, playing out in the land itself, probably served as their foundational myth. The Priestly code included this myth by referring prominently to the El-Shadday notion, stating however, that this land is given as an *אחוזת* ("inheritance") not only to Israel but also to the Arabs and the Edomites. Abraham is the father not only of Jacob but also of Ishmael and Esau. On the other hand, the exiled portion of Judah seemed to rely more on the exclusive Yahwism of the Moses story. So the Priestly code incorporates this religious position as well and even privileges it to a certain extent by stating that the revelation of God to the Moses generation as YHWH is his final and full manifestation (see *Exod* 6:3).

This inner-Judean mediation was achieved by providing a common theological conception of God that allowed every party to re-find herself prominently in this theology.

Is the Priestly code's theology a "revolutionary monotheism"? It certainly is in terms of an intellectual revolution. But this revolution was more a synthesizing of given traditions into a new notion of God than an overthrow of former concepts. At any rate, it was the Priestly code that coined the inclusive monotheistic notion of God in a programmatic way, and the Priestly code's achievement proved very successful. At least in English, German, and French, it has become not only possible but also common to speak of "God," "Gott," and "Dieu" as a proper noun, thanks to the Priestly code.

42. Albani, *Der eine Gott*, 62–67.

From Counterworld to Real World: Evolutionary Cosmology and Theology in the Book of Genesis

23.1. Introduction

It is common knowledge that the Bible assumes that God created the world in seven days, that this took place around six thousand years ago, and that both of these points are incorrect according to modern cosmological knowledge.¹ However, such an approach certainly does not exhaust the potential of the biblical texts, and one should be warned of a hasty modernistic gesture of superiority against ancient conceptions of the interpretation of the world's formation.

Although I do not side with creationism, caution is advisable even with regard to the premature dismissal of all scientific claims of the biblical creation narrative.² We can naturally assume with confidence that the development of astrophysical theories on the formation of the world in the present state of science has progressed beyond those from the time of the composition of the biblical creation texts. Nevertheless, two things should be taken into account. First, one can clearly demonstrate that the biblical creation account also—historically speaking—exhibits an argumentative structure and interest that at least approaches what one today would designate as “science” from a functional perspective.³ Second, even today's cosmological theories

1. See Arnold Benz, *Das geschenkte Universum: Astrophysik und Schöpfung* (Düsseldorf: Patmos, 2009).

2. See Hans Weder, *Wissen und Glauben: Kreationismus–Intelligent Design–Schöpfungsglaube* (Basel: Schwabe, 2008).

3. See André Pichot, *Die Geburt der Wissenschaft: Von den Babyloniern zu den*

are time bound and will almost certainly appear outdated—sooner or later—to future generations.

When the biblical depiction of creation is placed within the horizon of ancient science, it becomes clear from a methodological perspective that the biblical texts are not to be interpreted any differently than other ancient texts.⁴ The Hebrew Bible is a part of the ancient Near East and was subject to its cultural and intellectual influences. This recognition caused an outcry around a hundred years ago, but has become well established in the meantime.⁵

On 13 January 1902 the German Assyriologist Friedrich Delitzsch gave a lecture in Berlin in the presence of Kaiser Wilhelm II titled “Babel and Bible.” In it he claimed that the Bible should essentially be interpreted in light of Babylonian culture.⁶ The lecture, in addition to several subsequent events, caused strong waves. Should the Bible then not serve as the source of truth? Is it more simply an epigone of ancient Near Eastern learning? Does it place revelation in question? Does the uniqueness of the Bible fall away? The resulting uproar has gone down in the books as the “Babel-Bible-Controversy.” More than a hundred years after Delitzsch, one can consider it common knowledge that the literary production of ancient Israel is not a *sui generis* entity that contains a divine revelation only made available to Israel. Instead, what became the Holy Scriptures of Judaism and Christianity is in many ways rooted in the cultural-historical context of the ancient Near East and is integrated

frühen Griechen (Frankfurt am Main: Campus, 1995).

4. See John W. Rogerson, “Die Bibel lesen wie jedes andere Buch? Auseinandersetzungen um die Autorität der Bibel vom 18. Jahrhundert an bis heute,” in *Biblischer Text und theologische Theoriebildung*, ed. Stephen Chapman, Christine Helmer, and Christof Landmesser, BThSt 44 (Neukirchen-Vluyn: Neukirchener Verlag, 2001), 211–34.

5. See, e.g., Friedhelm Hartenstein, “‘Und weit war seine Einsicht’ (Gilgamesch I,202): Menschwerdung im Gilgamesch-Epos und in der Paradieserzählung Genesis 2–3,” in *Essen und Trinken in der Bibel: Ein literarisches Festmahl für Rainer Kessler zum 65. Geburtstag*, ed. Michaela Geiger, Christl M. Maier, and Uta Schmidt (Gütersloh: Gütersloher Verlagshaus, 2003), 101–15; Michael Tilly and Wolfgang Zwickel, *Religionsgeschichte Israels: Von der Vorzeit bis zu den Anfängen des Christentums* (Darmstadt: Wissenschaftliche Buchgesellschaft, 2012).

6. Friedrich Delitzsch, *Babel und Bibel* (Leipzig: Hinrichs, 1902), and on it, Reinhard G. Lehmann, *Friedrich Delitzsch und der Babel-Bibel-Streit*, OBO 133 (Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 1989).

in manifold ways with the ancient Near Eastern texts and material that it adapted. However, the reverse is also true: the Bible itself influenced literatures of the ancient Near East. The Bible's innovation—this is clear today—does not consist in the material but rather in its interpretations of preexistent material.⁷

Israel's cultural-historical interconnectedness within the ancient Near East can be glimpsed clearly even merely on the basis of the geographic and historical circumstances. On the one hand, ancient Israel existed spatially as a small state within the ancient Near East. On the other hand, it was a latecomer in terms of the time of its appearance. Israel entered the world stage at the earliest around 1000 BCE in its very first form; the advanced civilizations in Mesopotamia and Egypt were at least two millennia older.

Following Egyptologist James Henry Breasted, one has come to describe the arable geographic region between Egypt and Mesopotamia, connected by the Levant, as the "Fertile Crescent."⁸ It is readily clear and quite expected that the history of Israel was not played out in splendid isolation. It instead took place with profound involvement in the ancient world of that time, especially with Mesopotamia and Egypt. From a historical perspective, one should not speak of the "surrounding world" or similar conceptions for ancient Israel: ancient Israel was not the center of the ancient world, but was instead a part of it—probably initially a rather insignificant one.⁹

Biblical studies has not always sufficiently appreciated this entanglement. Scholars were very conscious of it at the end of the nineteenth and beginning of the twentieth century. Great archaeological discoveries in Egypt and Mesopotamia shaped the nineteenth century, and this fascination held an entire generation of young biblical scholars spellbound, giving rise to the "history of religions school."¹⁰ Among them were figures such as Wilhelm Bousset, Johannes Weiss, Hugo Gressmann, Hermann Gunkel,

7. See Konrad Schmid, *The Old Testament: A Literary History*, trans. Linda M. Maloney (Minneapolis: Fortress, 2012).

8. James Henry Breasted, *Ancient Times: A History of the Early World* (Boston: Ginn, 1916).

9. Ernst Axel Knauf, *Die Umwelt des Alten Testaments*, NSK.AT 29 (Stuttgart: Katholisches Bibelwerk, 1994).

10. See, e.g., Gerd Lüdemann and Alf Özen, "Religionsgeschichtliche Schule," *TRE* 28:618–24.

and others. They were convinced that one could only adequately understand the Bible in its cultural-historical context. Gunkel's works proved especially groundbreaking for Gen 1. One should mention his Genesis commentary from 1901 and his monumental work *Creation and Chaos in the Primeval Era and the Eschaton*, which treats Rev 12 in addition to Gen 1.¹¹

The nature of the discussion changed drastically at the beginning of the 1920s, and the awakening of Neo-Orthodox theology around Karl Barth increasingly pushed the history of religions school to the theological margins. Neo-Orthodox theology then became established as mainstream in German-speaking Protestant theology after the Second World War. This development also exercised significant influence on the exegetical disciplines of Hebrew Bible and New Testament studies.

The dominant explanatory paradigm of the derivation of the meaning of biblical testimonies from the history of religions that was dominant only several decades earlier almost completely disappeared. What now increasingly moved to center stage—in view of the eighteenth and early nineteenth centuries one must say again—was the singularity of biblical faith. In its wake, Hebrew Bible scholars rediscovered the central foundational distinction between natural theology and revelatory theology from Neo-Orthodox theology in the religious history of the ancient Near East. Israel was, stated in the terminology of Neo-Orthodox theology, *totaliter aliter* from its neighbors, so interest in them receded to the margins.

With regard to Israel and the Bible's religious and cultural-historical interconnectedness with the ancient Near East, the situation at the middle of the twentieth century had again fallen back behind the state of knowledge from the history of religions school around the turn of the twentieth century. This has only fundamentally changed once again in the past thirty years. Various factors have led to renewed sensitivity for religious and cultural-history in biblical studies.

One must first mention the progress made in the archaeology in the land of Israel. Numerous new discoveries and information have become available since the 1980s about the manner in which one must imagine

11. See Hermann Gunkel, *Genesis: Übersetz und erklärt*, HKAT 1.1 (Göttingen: Vandenhoeck & Ruprecht, 1901); Gunkel, *Schöpfung und Chaos in Urzeit und Endzeit: Eine religionsgeschichtliche Untersuchung von Gen 1 und ApJoh 12* (Göttingen: Vandenhoeck & Ruprecht, 1895).

Israel in the biblical period. These discoveries essentially confirm that at least the paradigm of discontinuity established in the wake of Neo-Orthodox theology emphasizing the differences between Israel and the ancient Near East as such cannot be correct.

In addition, the overall climate of theology has changed significantly. While Neo-Orthodox theology rose to a kind of mainstream after the Second World War, theology has once again become much more pluralistic since the 1970s. With regard to biblical studies this has resulted in a certain movement toward intellectual decolonialization.

Further, scholars have also learned to recognize the likely inaccuracy of the Romantic paradigm of describing the biblical authors as religious geniuses. Most of the Bible, also its most important pieces, do not arise from spiritually gifted individuals that composed their texts in religious zeal, as one tended to assume during the pioneering years of biblical studies in the early nineteenth century. Broad stretches of the Bible were likely the product of scribes written for scribes.¹² In essence, the Bible consists neither of devotional literature nor of popular literature, but instead presents a learned discourse on the state of knowledge at that time.

This state of affairs also incidentally provides the necessary conditions for the Bible to be misused as a megaphone by today's foes of science. Because the structure of the Bible contains something akin to ancient science, it can be turned against modern science. The time-bound nature of biblical science only became recognized through the rise of historical criticism. This made it possible, at least in enlightened circles, to release the natural sciences as a contemporary form of science.

How should one interpret the biblical creation tradition in the book of Genesis? A fundamental literary-historical preliminary remark is required. It belongs to the most certain recognitions of biblical studies since Jean Astruc that Gen 1–3 contains two creation narratives that likely initially existed independent from one another.¹³ The following remarks will concentrate on the first creation report in Gen 1:1–2:4a (designated hereafter simply as Gen 1) and its supposed original ancient contexts. This creation account is assigned by biblical studies to the so-called Priestly document, the most important and most prominent source doc-

12. See Schmid, *Old Testament*.

13. On Astruc, see Jan C. Gertz, "Jean Astruc and Source Criticism in the Book of Genesis," in *Sacred Conjectures: The Context and Legacy of Robert Lowth and Jean Astruc*, ed. John Jarick, LHBOTS 457 (London: T&T Clark, 2007), 190–203.

ument of the Pentateuch, which is generally dated to the early Persian period.¹⁴ However, the description of the text's profile does not depend on the establishment of this hypothesis.¹⁵

23.2. The Creation Report of Genesis 1 in Its Literary Context

23.2.1. The Composition and Structural Meaning of Genesis 1

Genesis 1 is one of the best-known texts not only from the Bible but within world literature as a whole.¹⁶ However, two basic misconceptions often hinder understanding. First, Gen 1 is often interpreted as if it concerns a stand-alone entity. In reality, however, Gen 1 was never a stand-alone text but instead was always the head piece of a larger literary context the above-mentioned Priestly document.¹⁷ Its text extends at least through the books of Genesis and Exodus. P's rich presentation reaches from creation to Sinai, offering the establishment of the foundations of cultic institutions, regulations, and ordering of life growing out of world history and the history of Israel. As a result of this introductory function of Gen 1, any interpretation that does not account for the contextual interconnectedness of Gen 1 with the subsequent material falls short.

14. On this, see, e.g., Albert de Pury, "P^s as the Absolute Beginning," in *Les dernières rédactions du Pentateuque, de l'Hexateuque et de l'Ennéateuque*, ed. Thomas Römer and Konrad Schmid, BETL 203 (Leuven: Peeters, 2007), 99–128; repr., *Die Patriarchen und die Priesterschrift: Les Patriarches et le document sacerdotal; Gesamtelte Studien zu seinem 70. Geburtstag; Recueil d'articles, à l'occasion de son 70e anniversaire*, ATANT 99 (Zurich: TVZ, 2010), 13–42; Sarah Shectman and Joel S. Baden, eds., *The Strata of the Priestly Writings: Contemporary Debate and Future Directions*, ATANT 95 (Zurich: TVZ, 2009).

15. On the state of scholarship see, e.g., Thomas Dozeman, Konrad Schmid, and Baruch J. Schwartz, *The Pentateuch: International Perspectives on Current Research*, FAT 78 (Tübingen: Mohr Siebeck, 2011); Thomas Römer, "Zwischen Urkunden, Fragmenten und Ergänzungen: Zum Stand der Pentateuchforschung," ZAW 125 (2012): 2–24. In any case, one should conclude that the conception of creation in the Bible should be seen as a religious-historical latecomer; see Konrad Schmid, ed., *Schöpfung*, TdT 4, UTB 3514 (Tübingen: Mohr Siebeck, 2012); for the first epigraphic attestation, see Nahman Avigad, "Excavations in the Jewish Quarter of the Old City of Jerusalem," IEJ 22 (1972): 193–200.

16. On the following, see Schmid, *Schöpfung*, 71–120.

17. See above n. 15.

Second, with its peculiar ordering of the world—animals and humans are vegetarian and are assigned a completely conflict-free manner of being with one another—which ecologically minded church circles like to understand as a moral appeal—the original condition of humans and animals in Gen 1 is interpreted as a normative statement for the present. Genesis 1 together with its context truly does view the killing of animals and humans as one of the fundamental problems of the world, but it should be noted that Gen 1 is a narrative text. It does not contain any demands, but rather narrative. These two dangers should be taken into consideration and avoided in what follows.

Genesis 1 gives an account of how God created the world in seven days. However, the Greek-speaking tradition often speaks of a “six-day work.” This is linked to a textual variant in Gen 2:2. The Hebrew text states: “And on the *seventh* day God completed the work that he had done.” The Greek translation of the Septuagint instead offers: “On the *sixth* day God completed the work that he had done, and he rested on the seventh day from all the work that he had done.” This version is smoother and more easily understood: God works for six days and rests on the seventh day. This very reason indicates that it is probably secondary. The Septuagint dismissed the consideration that the rest integrally belonged to the “work” rather than being a resting from the work done, as the logic of the Hebrew text indicates. Regardless, it remains the case that the seventh day occupies something of a special position. Nothing is created on it, not even the Sabbath (the noun is not used; it is only the verb *וַיִּשְׁבֹּת* (“and he rested”). By resting, God performs the later Sabbath in a primeval time.¹⁸

In the first six days, God creates eight works. The number of the works is easily recognized through the formulaic presentation of the works—that is, in the operations of naming and of the distribution of the approval formula (“and God saw that it was good”). They concern: (1) the sepa-

18. A different interpretation is offered by Thomas Krüger, “Schöpfung und Sabbat in Genesis 2,1–3,” in *Sprachen–Bilder–Klänge: Dimensionen der Theologie im Alten Testament und in seinem Umfeld; Festschrift für Rüdiger Bartelmus zu seinem 65. Geburtstag*, ed. Christiane Karrer-Grube et al., AOAT 359 (Münster: Ugarit-Verlag, 2009), 155–69. From my perspective, an overdrawn Sabbath interpretation of the temporal order appears in Jeffrey L. Cooley, *Poetic Astronomy in the Ancient Near East: The Reflexes of Celestial Science in Ancient Mesopotamian, Ugaritic, and Israelite Narrative*, HACL 5 (Winona Lake, IN: Eisenbrauns, 2013), 313–20. He interprets Gen 1 in light of Lev 23–25 (315), but Lev 23–25 comes later in the literary history than Gen 1.

ration of light from darkness, which leads to “day” and “night”; (2) the establishment of the firmament, which is then named “heaven”; (3) the collection of the waters under the firmament, which allows for the emergence of “land” and “sea”; (4) the creation of the plants; (5) the creation of the lights in the firmament, namely sun, moon, and stars; (6) the creation of the aquatic animals and the birds; (7) the creation of the land animals; and (8) the creation of humanity. This specific numerical discrepancy between the six days and the eight works has led many interpreters astray, such that they held the six-day schema as secondary in composition or tradition-critical terms, expecting a consistent author to distribute six works over six days. Such premature conjectures are easily falsified, as demonstrated in a groundbreaking and so-far unsurpassed study from 1975 by Odil H. Steck.¹⁹ The fact that Gen 1 relies on preexisting tradition is already likely from general cultural-historical considerations. However, the distribution of eight works over six days does not simply result from an only partially successful reconciliation of assimilated traditional material. It is, rather, profoundly meaningful, as Steck demonstrates in detail. Immediately striking—again simply in terms of numbers—is that the eight works are not distributed at random but rather in a specific sequence over the six days:

Day 1	1 work	Alternation of day and night
Day 2	1 work	Heavenly Firmament
Day 3	2 works	Separation of land and sea Plants
Day 4	1 work	Heavenly bodies
Day 5	1 work	Aquatic animals and birds
Day 6	2 works	Land animals Humans

Genesis 1 thereby orders the works into a 1:1:2 rhythm that plays out twice. The fact that this is more than an aesthetic gimmick can be demonstrated by looking at the content. The formally denoted break between the third and fourth days also proves decisively important for the content.

19. Odil H. Steck, *Der Schöpfungsbericht der Priesterschrift: Studien zur literar-kritischen und überlieferungsgeschichtlichen Problematik von Genesis 1,1–2,4a*, FRLANT 115 (Göttingen: Vandenhoeck & Ruprecht, 1975), see more recently, e.g., Mark S. Smith, *The Priestly Vision of Genesis 1* (Minneapolis: Fortress, 2010).

It immediately becomes clear that the content of the second and the fifth as well as the third and the sixth days correspond to one another. The establishment of the firmament, the “heaven,” the second day separates the waters above and below, forming a sphere of air. These are the habitats for the aquatic animals and the birds created on the fifth day. On the third day, through the collection of the waters, the dry land becomes visible that serves the land animals and humans as a habitat. They are created on the sixth day. This correspondence also provides the reason for the creation of the plants already on the third day. According to Gen 1, they are older than the stars that were first created one day later. The plants fundamentally belong to the creation of the dry ground, for without vegetation, the land offers no possibility for life.

In the same way, the second and the third days constitute the provision of the habitats related to the creatures that will reside in them, which themselves are created on the fifth and sixth days. The correspondence between the first and fourth days is also obvious. The structure of a day is created on the first day by the separation of light and dark, thereby establishing the progression of time. The structuring of time concerns the work of the fourth day, the creation of the heavenly bodies, which “are signs for feast times, for days and for years” (1:14).

Therefore, Gen 1 describes the fundamental ordering of time and life as they emerge from the creation of the world. As the conclusion of the sixth day, Gen 1:31 summarily stipulates, “And God saw everything that he had made, and behold, it was very good.” “Good” in this instance designates the nature of creation as supportive of life. Describing it as “very good” means that it is completely geared for successful life. When described as טוב מאד “very good,” this analogously signifies the primarily functional connotations of the Hebrew adjective טוב as “good.”²⁰ It is completely oriented toward successful life.

23.2.2. The Contextual Openness of Genesis 1 and its Continuation in Genesis 6–9

One must now bear in mind, however, that Gen 1 does not result in the human and animal habitat that was experienced at that time and today. The world described in Gen 1 evinces many similarities to the present

20. Cf. I. Höver-Johag, “טוב,” *TDOT* 5:296–317.

world, but it is not identical to it. The cosmology and biology of the creation do correspond to the experience of the world at that time, but not the fundamental order—namely that humans and animals subsist solely as vegetarians does not match with the conventions of that time or of the present. In this regard, Gen 1 depicts an idealized world. At the same time, the following context demonstrates awareness of the fact that this ideal state did not last for long.²¹ Somewhat later in the subsequent context, Gen 6:11–13 states that the qualification in Gen 1:31 has become its complete opposite.

Gen 1:31: And God saw everything that he had made, and behold, it was very good.

Gen 6:11–13: But the earth became corrupt before God, and the earth became full of violence [חמס]. And God saw the earth, and behold, it was corrupt, for all flesh had corrupted its ways on the earth. Then God spoke to Noah: the end of all flesh has come before me, for the earth is full of violence [חמס] from them. So I will eradicate them from the earth.

The reason given for the compromising of the original creation is named in Gen 6:11–13 as the corruption of the earth by “violence” (חמס). The term חמס principally means “violence against life,” especially the shedding of blood.²² With כל־בשר “all flesh,” both humans and animals are in view, but not the fish, which biblically do not count as “flesh.” This is verified in the fact that they are not punished by the flood. It should be maintained, however—against both a widespread and diminished interpretation of this section—that the guilt of the flood according to Gen 6:11–13 does not fall on humans alone, but on “all flesh,” on both humans and animals.²³

21. On this see Bernd Janowski, “Schöpfung, Flut und Noahbund: Zur Theologie der priesterlichen Urgeschichte,” *HBAI* 1 (2012): 1–21.

22. See, e.g., Wilhelm Gesenius, *Hebräisches und Aramäisches Handwörterbuch über das Alte Testament*, ed. Rudolf Meyer and Herbert Donner, 18th ed. (Heidelberg: Springer, 1987), 367; in detail, Annette Schellenberg, *Der Mensch, das Bild Gottes? Zum Gedanken einer Sonderstellung des Menschen im Alten Testament und in weiteren altorientalischen Quellen*, *ATANT* 101 (Zurich: TVZ, 2011), 45.

23. See Hermann-Josef Stipp, “‘Alles Fleisch hatte seinen Wandel auf der Erde verdorben’ (Gen 6,12): Die Mitverantwortung der Tierwelt an der Sintflut nach der Priesterschrift,” *ZAW* 111 (1999): 167–86.

The new ordering of creation after the flood reacts precisely to this problem of violence, which is the reciprocal shedding of blood as recorded in the divine speech of Gen 9:1–6:²⁴

Gen 1:28–30: And God blessed them and spoke to them: “Be fruitful and multiply and fill the earth and take possession of it and rule over the fish of the sea and the birds of the heavens, over the cattle and all animals that move on the earth!” And God spoke, “Behold, I give you all herbage that carries seeds on the whole earth, and all trees on which are seedbearing fruit: these shall be your food. But all animals of the earth and all birds of the heavens and everything that moves on the earth that has breath in it, I give grass and herbage as sustenance. And it was so.

Gen 9:1–6: And God blessed Noah and his sons and spoke to them, “Be fruitful and multiply and fill the earth! Fear and terror of you will come upon all the animals of the earth, upon all birds of the heavens, upon everything that crawls on the earth, and upon all fish in the sea: they are given into your hands. Everything that moves and lives shall be your food; like the green herbage, I give you everything. Only flesh that still has its soul—its blood—in it, you may not eat. Your own blood, however, I will require from all animals. I will require it and from humans each from one another, I will require the life of the human: whoever sheds human blood, their blood shall also be shed for the value of the human. For God made humans in his image.”

The divine speech offered in Gen 9:1–6 takes up the allocation of sustenance from Gen 1:28–30 and modifies it in such a way that it henceforth acquires negative connotations whereby the consumption of meat is now permitted. Humans are now permitted to eat land animals, birds, and fish, in addition to food from plants. The diet of the animals is not explicitly regulated, but the shape of the texts indicates that it implicitly accepts the consumption of meat by animals. The death penalty concerns only cases when animals attack humans or when humans turn against other humans and it comes to the shedding of *human* blood.²⁵

24. See Schellenberg, *Der Mensch, das Bild Gottes?*, 60–67; Janowski, “Schöpfung, Flut und Noahbund.”

25. The formulation of Gen 9:6a does not illuminate completely the subject that should carry out the death penalty: “Whoever sheds human blood, the blood of this one shall also be shed by humans/for the value of the human.” The answer to this question rests on the question of how **בַּאָדָם** is rendered. The Hebrew preposition **ב**

The permission of the consumption of meat as well as the introduction of the death penalty form the most important elements of the modifications by Gen 9 of the creational order of Gen 1. The world order experienced today is first established in Gen 9. Stated pointedly, the biblical creation narrative includes not only Gen 1, nor just Gen 1–3, but Gen 1–9.

The fact that Gen 1 is the opening text oriented toward and dependent on the progression in Gen 6 and Gen 9 can be verified by a small detail in Gen 1—the motif of blessing.²⁶ It appears in two places within Gen 1, in verse 22 and verse 28; Gen 2:3 speaks further of the blessing of the seventh day. According to the context, in Gen 1:22 the blessing is directed to the aquatic animals created in Gen 1:21: “And God blessed them and said: ‘Be fruitful and multiply and fill the water in the sea, the birds shall multiply on the earth.’” It is striking that the birds do not appear to be blessed. The divine speech reproduced in Gen 1:22 in the second-person is only directed toward the aquatic animals, while the proclamation concerning the birds (“the birds shall multiply on the earth”) breaks into the third-person. Do the birds not receive a blessing?

This may be likely, given that the second attestation of blessing within the framework of the sixth day, on which the land animals and humans are created, states a similar abnormality. Only the humans, whose creation Gen 1:26–27 reports, are blessed in Gen 1:28: “And God blessed them, and God spoke to them: ‘Be fruitful and multiply and fill the earth and take possession of it, and rule over the fish in the sea and the birds in the heavens and all animals that move on the earth!’”²⁷ No mention appears in Gen 1 of a blessing for the land animals created immediately before. Were they not blessed as well?

can be understood as a *bet instrumentalis*, in which case the translation would be “by humans.” It can also be interpreted as a *bet pretii*, which would suggest the translation “for the value of the human.” In favor of this later possibility is the structure of Gen 9:6a, in which the shed human blood from the first half of the statement corresponds to the blood of the human in the second half of the statement. The passive formulation “should be shed” would thus be understood as a divine passive. The implementation of the death penalty is reserved for God. It is also possible that the two meanings should not be separated, see Markus Zehnder, “Cause or Value? Problems in the Understanding of Gen 9,6a,” ZAW 122 (2010): 81–89.

26. On this see Martin Leuenberger, *Segen und Segenstheologien im alten Israel: Untersuchungen zu ihren religions- und theologiegeschichtlichen Konstellationen und Transformationen*, ATANT 90 (Zurich: TVZ, 2008), 384–92.

27. On this see Schellenberg, *Der Mensch, das Bild Gottes?*, 46–59.

Indeed, Gen 1 appears to develop the notion that, of the living beings, only the aquatic animals and the humans receive a blessing (plants are not living beings according to the Bible; according to Gen 1 they are features of the earth). Why? The reason appears to lie in the structure of the world according to Gen 1. On the second and third days of creation, the habitats of the air, sea, and land with vegetation emerge, obviously in view of the living beings created on the fifth and sixth days—the birds, aquatic animals, land animals, and humans. It is evident that of these living beings, only the aquatic animals can claim a habitat completely to themselves: the sea. While the birds have the air to themselves, for their sustenance and propagation—as the author of Gen 1 also knows, they rely on the habitat of the land. This means that birds, land animals, and humans must share the habitat of the land. According to the Gen 1's conception of order, a difficulty results: If not every living being has a habitat for themselves, then conflict can ensue. Although Gen 1:31 maintains that the creation is “very good,” it must be seen as endangered in light of this constellation. The absence of a blessing for the birds and land animals indicates that the author of Gen 1 was quite aware that the humans receive their blessing only at a cost to the birds and land animals who must do without—for they share the same habitat. What this costs the birds and land animals first becomes recognizable from Gen 9. They are given to the humans for consumption.

One now recognizes also from Gen 1 itself that the narrative casts a creational order for a utopian counterworld that exhibits, however, a certain fragility. This allows for the possibility for those developments that lead incrementally to the resulting stable world of experience. Its regulations are laid down in Gen 9. Genesis 1–9 narrates the evolution of the creation, its development into the present ambivalent form. In light of current debates, it is noteworthy that evolution already appeared to play an important role as a category of thought in ancient attempts to understand the world. At that time, however, its connection appears within the structures of mythic thinking—which I cannot discuss in depth at this point.²⁸ Generally speaking, however, the Bible, like other ancient literature, treats existential questions as questions of origins. As a result, the nature of the world of experience presented in Gen 9 is depicted as the

28. See, e.g., Ernst-Joachim Waschke, “Mythos als Strukturelement und Denkkategorie biblischer Urgeschichte,” in *Der Gesalbte: Studien zur alttestamentlichen Theologie*, BZAW 306 (Berlin: de Gruyter, 2001), 189–205.

result of a process moving from the labile and counterfactual original state of the world to its stable and real present condition.

23.3. The Cosmology of Genesis 1–10

23.3.1. Sociomorphic Interpretation of Reality

It is evident that Gen 1–9 does not offer a cosmogony in a technical sense, but rather that this cosmogony is thoroughly permeated with elements from the living environment. What the world is and how it came to be is explained in Gen 1–9 in the framework of a sociomorphic image of the world.²⁹ It does not differentiate fundamentally between the cosmological and the sociological, between the natural scientific and theological aspects. However, striking differences can be determined with regard to the durability and transformation of what was created cosmologically or environmentally ordered in Gen 1.

The cosmological architecture of the world is completed once and for all in Gen 1: the firmament does not collapse even during the flood, but it instead only opens a “window” (Gen 7:11). It remains unquestionable for the Torah that heavens and earth will endure forever, for in Deut 31:28 they are called by God as witnesses against Israel—apparently on the basis of their function as everlasting components of the cosmos. There are naturally prophetic and later apocalyptic texts that depart from the Torah on this point,³⁰ but the core of the Hebrew Bible canon does not acknowledge anything transitory in heaven and earth.

The fundamental changes within the narrative sequence of Gen 1–9 address the systems of life that concern the relationship between human and animal. The original system of the cohabitation of vegetarians in one and the same habitat from Gen 1 does not last. It is foreseeably impermanent, as one can read from the motif of blessing. This specific regulation undergoes revision in Gen 9 in the sense of a second creation. Humans

29. See Ernst Topitsch, *Vom Ursprung und Ende der Metaphysik: Eine Studie zur Weltanschauungskritik* (Vienna: Springer 1958).

30. Cf. esp. Isa 65–66; on this, see Konrad Schmid, “New Creation Instead of New Exodus: The Innerbiblical Exegesis and Theological Transformations of Isaiah 65:17–25,” in *Continuity and Discontinuity: Chronological and Thematic Development in Isaiah 40–66*, ed. Hans M. Barstad, Lena-Sofia Tiemeyer, FRLANT 255 (Göttingen: Vandenhoeck & Ruprecht, 2014), 180–98.

receive permission to kill animals in order to consume them; the killing of animals by animals is implicitly accepted.

The ordering of life regulating the relationship between God and humans also undergoes fundamental change. According to Gen 1:26–27, humans are created as the “image” (צלם)—literally as the “statue”—of God, that is, as God’s representative whose task consists of administering the *dominium terrae* made explicit in the context in Gen 1:28.³¹

The divine–human relationship here is a free commission that does not anticipate any conflict. However, the labile structure of the world leads to what the Bible in Gen 6:11–13 calls “violence” (חמס). Within the context of the flood narrative, which leads from the unreal counterworld to the real living world, the relationship between God and humanity is newly structured in legal terms. According to Gen 6:18 and then extensively in Gen 9, God concludes a covenant with Noah as the representative of humanity: “But with you I will establish my covenant [ברית]. So go into the ark, you and with you your sons, your wife, and the wives of your sons” (Gen 6:18).

The Hebrew term ברית, usually rendered “covenant,” is more appropriately translated “treaty,” even if this treaty already appears in a strongly theologized form. For it exclusively consists of God’s one-sided commitment to renounce such violence against his creation from this point on, as Gen 9:11 explicitly maintains: “I will establish my covenant with you. Never again will a flood come to destroy the earth.” This covenantal promise is impressively documented through the image of the bow (קשת) hung in the clouds.³²

The treaty motif as such is already noteworthy because it conceives of the divine relationship as legally determined. This presupposes important religious-historical developments. One should first note the reception of the Neo-Assyrian vassal treaties in Israel, which then were transferred

31. See Manfred Weippert, “Tier und Mensch in einer menschenarmen Welt: Zum sog. dominium terrae in Genesis 1,” in *Ebenbild Gottes: Herrscher über die Welt; Studien zu Würde und Auftrag des Menschen*, ed. Hans-Peter Mathys, BThSt 33 (Neukirchen-Vluyn: Neukirchener Verlag, 1998), 35–55; Bernd Janowski, “Die lebendige Statue Gottes: Zur Anthropologie der priesterlichen Urgeschichte,” in *Gott und Mensch im Dialog: Festschrift für Otto Kaiser zum 80. Geburtstag*, ed. Markus Witte, BZAW 345.1 (Berlin: de Gruyter, 2004), 183–214; Jakob Wöhrle, “Dominium terrae: Exegetische und religionsgeschichtliche Überlegungen zum Herrschaftsauftrag in Gen 1,26–28,” ZAW 121 (2009): 171–88.

32. See Udo Rüterswörden, “Der Bogen in Genesis 9: Militär-historische und traditionsgeschichtliche Erwägungen zu einem biblischen Symbol,” UF 20 (1988): 247–63.

to the relationship between God and nation, with which one is especially familiar from Deuteronomy.³³ Since the discovery of a copy of Esarhaddon's vassal treaty in 2009 in Tell Tayinat in southern Turkey near Antakya, there is now evidence of what before was probable, namely that this kind of treaty was also used in the western part of the Neo-Assyrian Empire—probably also in Judah.³⁴

Second, one should also note the unilateralization of this treaty in the sense of an even more one-sided divine self-obligation than known from other texts of the Priestly document that are critical of Deuteronomism, especially the Abrahamic covenant of Gen 17.

Third and last is the universalizing transfer of this conception to the relationship of God and humanity within the context of the Priestly covenant with Noah.³⁵ From a political-historical point of view, this interpretation of Gen 1–9 in terms of treaty theology reveals not only Neo-Assyrian, but also Persian influences. God's treaty with Israel no longer primarily exudes a subversive tone in view of the Neo-Assyrian Empire, but God's treaty with Israel instead already mirrors the comprehensive, peaceful, and federal world order as experienced in the Levant in the Persian period.

23.3.2. Demystification of the World

In its current textual form, which should be interpreted as a superscription to Gen 1,³⁶ the opening statement of Gen 1:1, "In the beginning God created the heavens and the earth," is so well known that its fundamental

33. See Eckart Otto, "Treueid und Gesetz: Die Ursprünge des Deuteronomiums im Horizont neuassyrischen Vertragsrechts," *ZABR* 2 (1996): 1–52; Christoph Koch, *Vertrag, Treueid und Bund: Studien zur Rezeption des altorientalischen Vertragsrechts im Deuteronomium und zur Ausbildung der Bundestheologie im Alten Testament*, BZAW 383 (Berlin: de Gruyter, 2008).

34. See Jacob Lauinger, "Esarhaddon's Succession Treaty at Tell Tayinat: Text and Commentary," *JCS* 64 (2012): 87–123.

35. On this see Konrad Schmid, "Anfänge politikförmiger Religion: Die Theologisierung politisch-imperialer Begriffe in der Religionsgeschichte des antiken Israel als Grundlage autoritärer und toleranter Strukturmomente monotheistischer Religionen," in *Religion–Wirtschaft–Politik: Forschungszugänge zu einem aktuellen transdisziplinären Feld*, ed. Antonius Liedhegener, Andreas Tunger-Zanetti, and Stephan Wirz (Zurich: Pano, 2011), 161–77.

36. Cf., however, the discussion in Hermann-Josef Stipp, "Anfang und Ende: Nochmals zur Syntax von Gen 1,1," in *Alttestamentliche Studien: Arbeiten zu Priesterschrift*,

theological point is often overlooked. It must be striking especially from a historical perspective that the determination of the objects as heaven and earth—likely correctly interpreted as a merism expressing the entirety of the world through the addition of heaven and earth—leaves no doubt that the heavens, otherwise belonging to the sphere of the numinous, are degraded into a work of creation.

And God said: let there be a firmament in the midst of the waters, and it will separate water from water. And God made the firmament [רקיע] and separated the water below the firmament from the water above the firmament. And it was so. And God called the firmament heaven [שמים]. (Gen 1:6–8)

Heaven is nothing more and nothing less than a cosmological edifice. This is especially noteworthy in light of the Babylonian tradition reworked in Gen 1. As already long recognized, the creation account of Gen 1 is closely related to the Babylonian epic *Enuma Elish* (“When on High”), which, as a result of its points of contact with Gen 1, has been somewhat misleadingly described as an epic of the creation of the world.³⁷ In actuality, it concerns the rationale for the supremacy of the Babylonian god Marduk over the other gods, which is justified by his role in the creation event. The cosmological conception of the world as an air bubble in the midst of water appears concretely inspired by *Enuma Elish*. In addition, the term used in Gen 1:2 for “primordial flood,” תהום, recalls the name Tiamat in *Enuma Elish*, even if it remains uncertain whether תהום and *tiāmtu* are directly related in terms of etymology.³⁸

Within the framework of *Enuma Elish*, it can be observed that heaven and the underworld become domiciles for the deities after their creation (VI.39–44, 79, 144). The difference from Gen 1 consists not only in that Gen

Deuteronomistischem Geschichtswerk und Prophetie, BZAW 442 (Berlin: de Gruyter, 2013), 41–51.

37. “Epic of Creation,” trans. Benjamin R. Foster (COS 1.111:391–402); on the history of scholarship concerning the connection between Gen 1 and *Enuma Elish*, see Kenton L. Sparks, “Enūma Elish and Priestly Mimesis: Elite Emulation in Nascent Judaism,” *JBL* 126 (2007): 629 n. 11. See Stefan M. Maul, “Enūma eliš,” *DNP* 3:1051–52.

38. See Ernst-Joachim Waschke, “תהום,” *TDOT* 15:574–81; Michaela Bauks, *Die Welt am Anfang: Zum Verhältnis von Vorwelt und Weltentstehung in Gen 1 und in der altorientalischen Literatur*, WMANT 74 (Neukirchen-Vluyn: Neukirchener Verlag, 1997), 122–24.

1—as a monotheistic text—is only familiar with one deity. Furthermore, the heavens generally are not considered the divine domicile, not to mention the complete lack of creation and therefore omission of the underworld. God instead appears to face the creation to some degree from a nonplace. He speaks from offstage and cannot be localized within the cosmos.³⁹

It becomes clear from this juxtaposition that, according to Gen 1, the creator and the creation are completely separate from one another.⁴⁰ God has no worldly quality, and the world has no divine quality. This position basically became orthodox in the later formation of tradition in Judaism and Christianity, though it is discussed time and again and also relativized. Gnostic and mystical conceptions find a “divine seed” or “spark” in the realm of humans that can be cultivated through techniques like meditation, contemplation, or enlightenment.

The position of Gen 1 is instead unequivocal. Humanity is part of creation—its biological substance does not consist of anything divine. This anthropological qualification differs from the one in *Enuma Elish*: Humans are created from the blood of Kingu, Tiamat’s slain spouse (VI.5.31–35).

The radical separation between God and world, between creator and creation brings with it almost inevitably the notion of—anachronistically in the words of Max Weber—the “demystification of the world,”⁴¹ which is, however, already at work in the Babylonian tradition. This is most easily recognized in the downgrading of the stars into mere “lamps.” Evidently Gen 1:16 consciously avoids the Hebrew terms for “sun” (שמש) and “moon” (ירח). It instead only speaks of the “greater” and the “lesser lamps,” possibly to avoid associations with the corresponding deities, but more likely primarily from astronomical interests (on this see below, §23.5). Still more drastically, one could, extrapolating from the conception of light in Gen 1, also render “reflectors” instead of “lamps,” for the heavenly bodies

39. On this see Fritz Stolz, *Einführung in den biblischen Monotheismus* (Darmstadt: Wissenschaftliche Buchgesellschaft, 1996); Erich Zenger, “Der Monotheismus Israels: Entstehung–Profil–Relevanz,” in *Ist der Glaube Feind der Freiheit? Die neue Debatte um den Monotheismus*, ed. Thomas Söding, QD 196 (Freiburg im Breisgau: Herder, 2003), 9–52.

40. Critical of this are Othmar Keel and Silvia Schroer, *Schöpfung: Biblische Theologien im Kontext altorientalischer Religionen*, 2nd ed. (Göttingen: Vandenhoeck & Ruprecht, 2008).

41. Max Weber, *Wissenschaft als Beruf 1917/1919: Politik als Beruf 1919*, vol. 1.17 in *Max Weber Gesamtausgabe*, ed. Wolfgang J. Mommsen and Wolfgang Schluchter (Tübingen: Mohr Siebeck, 1992), 86–87.

evidently do not have light of their own. This light was created by God in Gen 1:3 and is only reflected by the stars.

The specific worldview in Gen 1 may also be responsible for the choice of the divine word as the medium of creation. The fact that God creates through his word has become so well known in Middle Eastern and Western cultures as a result of the potency of the Bible that the peculiarity of this concept hardly attracts any attention. In actuality, however, it concerns a revolutionary concept that the Bible develops in its opening chapter. For one, it therefore becomes clear that God is not a “demiurge,” nor “foreman” of creation, who to some degree could have physical contact in the performance of his work. God as creator is instead so distinct from his creation that he stands completely juxtaposed to it. He can, however, by means of his word—in the sense of tangible contact—intervene in it with cataclysmic consequences. The heavens are created through his word; so also are air, water, and earth as habitats and the living beings that then reside in these habitats. While Gen 1 shows no familiarity with the concept of creation out of nothing (*creatio ex nihilo*), which is first attested in 2 Macc 7:27, it is also clear, as it were, that the entire present world in Gen 1 results from the divine word. Without the divine word, the world would be a completely senseless and useless *tōhu-wa-bōhû*, to use the phrase that describes its state before the beginning of the divine speech in Gen 1:2.

Furthermore, the creation of creation by the word indicates that its structure is interpreted as textual. The creation is not a conglomeration of senseless elements; it instead arose step by step through linguistic decrees and is consequently readable as a “text”—even if its original form is no longer accessible in an immediate manner.

23.3.3. The Stabilization and Pacification of the World

The progression from Gen 1—via Gen 6—to the covenant with Noah in Gen 9 has a specific theological point. A future divine judgment of the world is inconceivable for the Priestly document, the author of these texts. Accordingly, one can definitely interpret God’s bow in the clouds following Udo Rütterswörden as the image of an unstrung battle bow. The bow implies divine renunciation of future warlike actions against the world.⁴² This divine pacifism is remarkable not only within the ancient Near Eastern

42. Rütterswörden, “Der Bogen in Genesis 9.”

context of the Bible, but also in the Bible itself. The declaration of Gen 6:13 that God judged the world once and for all in the primeval epoch takes up the sharpest pronouncements of judgment from Amos and Ezekiel (“The end has come” Gen 6:13, cf. Amos 8:2–3; Ezek 7:2–3),⁴³ refracting them into the primeval period. The end truly did come, but it took place in the primeval epoch and now remains forever in the past. Genesis 9 thereby offers both a theocratic and noneschatological view of the world that is completely determined by the Torah. It will, however, become contested once again within the context of Hellenistic prophetic tradition (cf. Isa 26:20–21).⁴⁴

23.3.4. Pluralization of the World

The world order newly established after the flood is described in the so-called Table of Nations in Gen 10. It has a refrain that describes something that is extremely noteworthy in the ancient Near Eastern context: the linguistically and culturally diverse order of the world:

Gen 10:5: These are the sons of Japheth in their lands, with their languages, according to their tribes, in their nations.

Gen 10:20: These are the sons of Ham according to their tribes, their languages, in their lands, according to their nations.

Gen 10:31: These are the sons of Shem according to their tribes, their languages, in their lands, according to their nations.

43. Cf. Rudolf Smend, “‘Das Ende ist gekommen’: Ein Amoswort in der Priesterschrift,” in *Die Botschaft und die Boten: Festschrift für Hans Walter Wolff zum 70. Geburtstag*, ed. Jörg Jeremias and Lothar Peritt (Neukirchen-Vluyn: Neukirchener Verlag, 1981), 67–74; repr., *Die Mitte des Alten Testaments: Gesammelte Studien*, BEvT 99 (Munich: Kaiser, 1986), 54–59; and esp. Thomas Pola, “Back to the Future: The Twofold Priestly Concept of History,” in *Torah and the Book of Numbers*, ed. Christian Frevel, Thomas Pola, and Aaron Scharf, FAT 2/62 (Tübingen: Mohr Siebeck, 2013), 39–65.

44. On this see Erich Bosshard-Nepustil, *Vor uns die Sintflut: Studien zu Text, Kontexten und Rezeption der Fluterzählung Genesis 6–9*, BWANT 165 (Stuttgart: Kohlhammer, 2005).

Even if the literary-historical classification of Gen 10 is contested, this refrain is usually assigned to the Priestly document. In fact, the closest parallels to such a—*sit venia verbo*—“pluralistic” or at least plurally structured world order appears in the Persian royal inscriptions.⁴⁵ The Persian Empire enacted a similarly decentralized and federalist structure that was adopted quite positively in the biblical primeval history—in particular by its Priestly portions. In the contemporary global situation, it appeared as if one had experienced something like the end of history. God ruled over the world by means of the Persians, and Israel could maintain its own cult in its land. As a result, the world did not require any further fundamental change.

23.4. The Theology of Genesis 1–10

23.4.1. The Development of a Theological Conception of God

It need not be surprising that a series of foundational theological divisions are observable in a creation account like Gen 1. A well-conceived conception of creation requires an analogous conception of a creator. What first becomes recognizable is that Gen 1 is a monotheistic text.⁴⁶ According to this depiction—in spite of the puzzling plural in 1:26: “Let us make humanity”—there is only one deity.⁴⁷ This deity functions as

45. See Rüdiger Schmitt, *Die altpersischen Inschriften der Achämeniden: Editio minor mit deutscher Übersetzung* (Wiesbaden: Reichert, 2009). On Gen 10 see Jacques Vermeylen, “La ‘table des nations’ (Gn 10): Yaphet figure-t-il l’Empire perse?,” *Transeu* 5 (1992): 113–32; J. Simons, “The ‘Table of Nations’ (Genesis 10): Its General Structure and Meaning,” in *“I Studied Inscriptions from before the Flood”: Ancient Near Eastern, Literary, and Linguistic Approaches to Genesis 1–11*, ed. Richard S. Hess and David Toshio Tsumura, SBTS 4 (Winona Lake, IN: Eisenbrauns, 1994), 234–53; Donald J. Wiseman, “Genesis 10: Some Archaeological Considerations,” in Hess and Tsumura, *“I Studied Inscriptions from before the Flood,”* 254–65.

46. On the broader discussion of biblical monotheism see, e.g., Stolz, *Einführung in den biblischen Monotheismus*; and Zenger, “Der Monotheismus Israels.”

47. The double plural—נַעֲשֶׂה “Let us make” and בְּצַלְמֵנוּ כְּדְמוּתֵנוּ “as our image, like us”—has always been conspicuous in exegesis, first traditionally Christian in a confirming manner (here the Trinity speaks to itself), then for historical criticism as a problem: How should God speak of himself in the plural in a clearly monotheistic text such as Gen 1? Different proposals have arisen and been rejected. One originally considered a plural of majesty, which is not, however, attested in Biblical Hebrew (the only biblical support appears in Ezra 4:18 in Aramaic and refers to the Persian emperor). A

the sole creating deity and does not presuppose any other deities besides itself. While no mandatory functional connection exists between creation and monotheism, which the ancient Near Eastern parallels in particular demonstrate,⁴⁸ it is evident that the logical development of the notion of a creator pushes toward the formulation of a strict monotheism.

One can especially recognize the monotheistic argumentation in Gen 1 from the narrative arrangement that juxtaposes the single creator with his creation. However, it also appears in the peculiar terminology for “God.” Genesis 1 calls God אֱלֹהִים.⁴⁹ The term אֱלֹהִים is a Hebrew noun with the meaning “god” or “gods.” The plural can be understood in principle to denote an actual plurality or as a singular plural of majesty. Undetermined אֱלֹהִים, that is, without the definite article, in principle would then be translated as “a god” or “gods.” Neither fits for אֱלֹהִים in Gen 1: אֱלֹהִים does not mean “a god” and certainly not “gods,” as the singular predicates show, but rather “God,” in the sense of the above-mentioned plural of majesty. The Priestly document uses אֱלֹהִים in the singular as a determined noun, even though it does not have the article. In other words, this means that Gen 1 employs אֱלֹהִים with regard to its determination as a proper name, for only proper names are nouns that are sufficiently determined in themselves so

plural of deliberation must also be eliminated, for the notion that God initially reflects and considers whether he should create humanity does not fit into the conception of Gen 1. Even the occasionally considered interpretation of the heavenly hosts must be eliminated on the basis of the context. The Priestly document is not familiar with such an entity in Gen 1 or elsewhere. Most likely is an interpretation of the emphasis on God’s self-summons, but a completely convincing resolution remains elusive. See the discussion in Ute Neumann-Gorsolke, *Herrschen in den Grenzen der Schöpfung: Ein Beitrag zur alttestamentlichen Anthropologie am Beispiel von Psalm 8, Genesis 1 und verwandten Texten*, WMANT 101 (Neukirchen-Vluyn: Neukirchener Verlag, 2004), 168–72.

48. See Annette Zgoll, “Welt, Götter und Menschen in den Schöpfungsentwürfen des antiken Mesopotamien,” in Schmid, *Schöpfung*, 17–70.

49. See the foundational study by Albert de Pury, “Gottesname, Gottesbezeichnung und Gottesbegriff: Elohim als Indiz zur Entstehungsgeschichte des Pentateuch,” in *Abschied vom Jahwisten: Die Komposition des Hexateuch in der jüngsten Diskussion*, ed. Jan C. Gertz, Konrad Schmid, and Markus Witte, BZAW 315 (Berlin: de Gruyter, 2002), 25–47; de Pury, “Wie und wann wurde ‘der Gott’ zu ‘Gott’?,” in *Gott Nennen: Gottes Namen und Gott als Name*, ed. Ingolf U. Dalferth and Phillip Stoellger, RPT 35 (Tübingen: Mohr Siebeck, 2008), 121–42; repr., *Die Patriarchen und die Priesterschrift*, 195–216; critical of this perspective is Erhard Blum, “Der vermeintliche Gottesname ‘Elohim,’” in Dalferth and Stoellger, *Gott Nennen*, 97–119.

that they can do without the article. They denote entities that are unique. A somewhat contemporaneous analogy to this usage appears in the absolute use in Greek of βασιλεύς as a proper noun to designate the Persian emperor in Herodotus.⁵⁰

If one realizes fully this use of the term אלהים without the article, which usually denotes the category of “god,” in the sense of a proper name in Gen 1, then it quickly becomes clear that a process of foundational importance becomes tangible. Genesis 1 makes the category אלהים coincide with the only member of the class, אלהים. The only one that is אלהים can therefore also be called אלהים. Therefore, Gen 1 develops the אלהים terminology into something like a theological concept for divinity.

The point of the coincidence of the class and its singular member can be described further when one contrasts it with the use of אלהים in the marginally older texts of Deutero-Isaiah.⁵¹ Isaiah 45:5 states, “I am YHWH and no other; besides me there is no אלהים.” In this case אלהים is clearly a designation for the class, and just like in Gen 1 there is only one member in Deutero-Isaiah, but that member is called YHWH and not also אלהים. The class and its sole member do not coincide here; they instead remain different. The resulting difference is not marginal, but of a rather fundamental nature. Genesis 1 develops an inclusive theology—behind all divine manifestations. Deutero-Isaiah, on the other hand, presents a strictly exclusive theology: there is no other God besides YHWH; all other gods are nothing.

23.4.2. Evolutionary Theology

If one reads Gen 1–10 in view of the literary presentation of God in these chapters, then it quickly becomes clear that while God is readily presented in Gen 1 as the אלהים, within the framework of this narrative sequence, God is characterized as evolving. This evolution appears most clearly in the comparison between the first creational order in Gen 1 and the second one in Gen 9. It means that while in Gen 1–10 God is אלהים from the beginning, he is not an unchanging entity, constantly resting in himself,

50. See Walter Burkert, *Die Griechen und der Orient: Von Homer bis zu den Magiern* (Munich: Beck, 2003), 107.

51. On this see Martin Leuenberger, “Ich bin Jhwh und keiner sonst”: *Der exklusive Monotheismus des Kyros-Orakels Jes 45,1–7*, SBS 224 (Stuttgart: Katholisches Bibelwerk, 2010).

without affect and eternally unchanging. God takes on his foundational characteristics with regard to the world only over the course of the portrayal itself.

The explanation for why God is presented in this manner is quite evident. The biblical primeval history not only depicts the primordial history of the world, but also God's primordial history. The reason why God is the way he is unfolds narratively rather than as a pronouncement. One can here again point to the basic structures of mythic thinking for the thematization of existential questions as questions of origins.⁵² The biblical primeval history presents God's nature within the context of his own evolution, which in particular includes the discovery of his own tolerance with regard to the violence of humans and animals. God's character as a deity who is no longer irritable results from the very early history of humanity on display in Gen 1–10.

God's evolution can be read in an exemplary fashion off the correlation of the prologue (Gen 6:5–8) and epilogue (Gen 8:20–22) of the flood narrative, which are related to one another in linguistic and functional terms. While they do not belong to the Priestly document, they adopt its interpretive dynamic and also its linguistic use (cf. esp. the list of creatures as 6:7 as well as the technical term "sweet scent" in 8:21).⁵³

Gen 6:5–8: And YHWH saw that the evil of humanity was great upon the earth and that every inclination of the plan of their heart was evil all days. And YHWH regretted that he had created humanity upon the earth, and it distressed him **in his heart**. And YHWH said: "I will destroy the humans that I have created from the face of the earth, both the humans and also the beasts, and also the crawling animals, as well as the birds of the heavens, *for* I regret that I have made them." But Noah found favor in the eyes of YHWH.

Gen 8:20–22: But Noah built an altar for YHWH, and he took some of all the pure animals and from all the pure birds and brought burnt offerings upon the altar. And YHWH smelled the sweet scent, and YHWH said **in**

52. Cf above n. 28.

53. See the discussions in Bosshard-Nepustil, *Vor uns die Sintflut*; and Jan C. Gertz, "Beobachtungen zum literarischen Charakter und zum geistesgeschichtlichen Ort der nichtpriesterschriftlichen Sintfluterzählung," in *Auf dem Weg zur Endgestalt von Genesis bis II Regum: Festschrift für Hans-Christoph Schmitt zum 65. Geburtstag*, ed. Ulrike Schorn and Martin Beck, BZAW 370 (Berlin: de Gruyter, 2006), 41–57.

his heart: “I will not curse the earth again on account of the humans; *for/ even though* the inclination of the human heart is evil from youth. And I will never again strike everything living as I have done. All days sowing and harvest, frost and heat, summer and winter, day and night upon the earth will not cease.

The most striking observation from the comparison of these texts concerns the fact that humanity is just as evil afterward as before. The inclination of their heart is only evil (8:21 with the exclusion of children: “from youth onward”). As a result, a moralistic reading of the flood narrative becomes impossible. Divine judgment does not lead to humanity’s improvement. The scope of the flood narrative is of a theological nature: Humans have not changed, but God has. The determination of human evil before the flood leads to God’s resolution of destruction, but after the flood, the same determination leads to God’s promise. As a result, the association of the flood’s prologue with its epilogue constitutes the etiology of a gracious God.

The great interest regarding change in God in the flood’s prologue and epilogue and how this shapes them can be read from various elements of contact between the two texts. First is the resumption of “all days” from 6:5 in the great promise of 8:22. The passage of time will no longer be defined primarily by the evil of humanity but rather by the divine promise never to let it lead to a world judgment. Then, “in his heart” in the second divine monologue in 8:21 shows that this reflection pushes into the very location where the sorrow over humanity’s evil had settled (“in his heart,” 6:6). In the anthropology of the Hebrew Bible, the heart describes the center of planning and thinking. This anthropomorphic use of the term in 6:6 and 8:21 appears quite bold, but the complementarity illuminates the above-mentioned point that God’s gracious promise not only determines the passage of time but also the divine nature itself. Finally, the use of the conjunction “for” (כִּי) is characteristic of the two texts. In the prologue, 6:7 uses the term in its original literal sense in a causal manner. In 8:21, however, the conjunction is apparently meant in an adversative sense: “even though.” If one again interprets this observation contextually, then it apparently indicates that God’s postflood logic has undergone a fundamental change. The prologue follows the usual and expected correlation of guilt and punishment, but the epilogue bursts this open and declares that God’s logic is completely different. Guilt does not lead to the elimination of life, but the question of life is fundamentally decoupled from guilt.

This thread from the epilogue of the flood functionally leads to the text that follows, the covenant with Noah in Gen 9 (see above, n. 26).

23.5. The International Interpretative Horizon of Genesis 1–10

23.5.1. The Mesopotamian Scholarly Tradition

The fact that the text of Gen 1 was created *ex nihilo* just as little as the world described in it, but rather from reworked traditional scholarly materials, can be shown as probable on the basis of various observations. First, it is inconceivable for ancient cosmologies from the outset that they were invented on their own. One should instead expect that any written record of conceptions about the formation of the world relates itself to previous traditions and grapples with them. This is also the case for Gen 1. Genesis 1 is not an ingenious fiction made up completely by its author, but instead bases itself in the state of the art of that time with regard to cosmology.⁵⁴ The horizon of the context of discussion for Gen 1 apparently extends to the entire cultural sphere of the Levant, from Mesopotamia to Greece. Several details demonstrate this point.

The description of the nature of the world before the creation in Gen 1:2: “And the earth was formless and void, and darkness lay upon the primordial flood [תהום], and the divine spirit moved over the water” provides an initial indication.⁵⁵

While the description of Gen 1:2 is puzzling, it does show at least that the conception arises from a Babylonian source, as Gunkel already

54. See, e.g., Horst Seebass, *Genesis I: Die Urgeschichte (1,1–11,26)* (Neukirchen-Vluyn: Neukirchener Verlag, 1996); Reinhard G. Kratz and Hermann Spieckermann, “Schöpfer/Schöpfung II,” *TRE* 30:258–83; see also the earlier presentation by Flemming Hvidberg, “The Canaanite Background of Gen. I–III,” *VT* 10 (1960): 285–94. Hans Ulrich Steymans, “Gilgameš im Westen,” in *Gilgamesh: Ikonographie eines Helden; Gilgamesh; Epic and Iconography*, OBO 245 (Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 2010), 287–345; Steymans, “Gilgameš und Genesis 1–9,” *BZ* 54 (2010): 201–28, calls attention to the Gilgamesh tradition. On the innerbiblical comparison see Jörg Jeremias, “Schöpfung in Poesie und Prosa des Alten Testaments: Gen 1–3 im Vergleich mit anderen Schöpfungstexten des Alten Testaments,” *JBTh* 5 (1990): 11–36; and again, Kratz and Spieckermann, “Schöpfer/Schöpfung II.”

55. See in detail Bauks, *Die Welt am Anfang*.

recognized.⁵⁶ The primordial state is watery and has in view a comprehensive flood. The fact that the flood must have made life impossible and that the water must first be restrained so that plant, animal, and human life become possible constitutes a reality of experience that is plausible in Mesopotamia without further explanation, but not in Israel. Jerusalem, the center of ancient Israelite literary production, lies 800 meters above sea level. While it does rain there, there are no noteworthy, tradition-forming floods.

One can see what the primordial state of the world looked like in an indigenous tradition from Israel from Gen 2:4b–6, the introduction of the second creation account.

At the time when YHWH Elohim made earth and heaven and there was still no bush of the field upon the earth nor any herb of the field had yet grown because YHWH Elohim had not yet made it rain upon the earth and there was no human to till the ground, as a water gush came forth out of the earth and watered the entire ground.

In comparison with Gen 1, the opposite situation can be noted. At the beginning the world is dust-dry and requires watering in order to make life possible.

This general conjecture about the conceptual background of Gen 1:2 can be substantiated further. The Hebrew term for primordial flood is תהום. However, it conspicuously appears in Gen 1:2 without the article, which one would expect in terms of its meaning if it were used as a proper noun. Only proper nouns do not require the article for determination.

In fact, תהום sounds like the proper name of Tiamat from Enuma Elish, the goddess that embodies the waters of chaos but can also take the form of an animal. While it is impossible from a philological standpoint to get directly from Tiamat to תהום (one would then expect תאמה), the similarity of the conceptions as well as the names leads to the consideration that both at least arise from the same tradition, which is in fact Babylonian.

תהום indicates not only a general link to Babylon but a specific one to Babylonian cosmological learning. The above-mentioned Enuma Elish epic contains a well-developed cosmology. For our interests, most

⁵⁶ Gunkel, *Genesis*.

important from Enuma Elish is the image of the cosmos as a large air bubble in the midst of water, which also corresponds to the image in Gen 1. This is so, even if the model in the advanced civilization of Babylon is more complex in that it differentiates between various levels of heaven and of earth.

A classic point in the scholarly interpretation of Gen 1 is the passage concerning the creation of sun, moon, and stars that was already mentioned above: “And God made the two great lights, the greater lamp to rule over the day and the lesser lamp to rule over the night, and also the stars” (Gen 1:16). We have already seen that this text is generally interpreted in a manner critical of the ancient Near Eastern myth. Genesis 1 is seen as intentionally avoiding the Hebrew terms for “sun” (שמש) and “moon” (ירח), for these also designate deities in the Northwest Semitic environment. In contrast, Gen 1 therefore would consciously only mention the “greater lamp” and of the “lesser lamp” in order to remove the theological powers surrounding the heavenly bodies.

This may be true to a certain extent. However, it is striking that the lamp metaphor does not originate with Gen 1, but is already attested in a commentary on Enuma Elish from the seventh century BCE:⁵⁷

The middle heaven of *saggilmud* stone is of the Igigi gods. Bel sits there in a high temple on a dais of lapis lazuli and has made a lamp [*bušinnu*] of *electrum* shine there.⁵⁸ (KAR 307.31–32)

In other words, this means that the designation “great lamp” should not simply be seen as a biblical criticism of the Babylonian myth, but rather the adoption of Babylonian learning on cosmological questions. This sufficiently illustrates that Gen 1 is not polemical against established Babylonian learning, but rather adopts it.

A series of motifs and conceptions in Gen 1 therefore indicate that this chapter is in discussion with the Mesopotamian scholarly tradition. Among these are the primordial state of the world as covered with water, the תהום terminology, the conception of the world as an air bubble, and the lamp function of the heavenly bodies.

57. Jan C. Gertz, “Antibabylonische Polemik im priesterlichen Schöpfungsbericht?,” *ZTK* 106 (2009): 137–55.

58. Cited according to Alasdair Livingstone, *Court Poetry and Literary Miscellanea*, SAA 3 (Helsinki: Helsinki University Press, 1989), text 39:31–32.

23.5.2. Points of Contact with the Pre-Socratics

One can now take a further step and investigate other scholarly discourses, in particular the Greek tradition that Gen 1 integrates. However, the nature of transmission remains quite uncertain. In any case, several points of contact are quite noteworthy.⁵⁹ They show that Gen 1 did not simply attach itself to one single tradition—in particular the Babylonian one. It instead seemed to move within the framework of the global scholarly community of its time, participating in it and grappling with it. One cannot reckon with literary influences in this case, but rather with reciprocal knowledge of traditions and material.

First of all, an explanation for the light of the stars in the pre-Socratic Anaximander (610–546 BCE) proves quite revealing:

The stars arose as circles of fire that separated themselves from the cosmic fire and were surrounded by the air. [On the stars] as blow holes there are certain funnel-shaped passages on which these are visible; therefore the darkneses also result when the blow holes are blocked. (DK 12.A.11)⁶⁰

In comparison with Gen 1, one should especially note that Anaximander also evidently reckons with the fact that the stars do not possess their own light, but it is instead linked to the primordial light. Genesis 1 analogously assumes that light as such was created on the first day, but the stars only on the fourth day. They merely reflect the primordially created light and do not produce their own.

59. Cf. Gertz, “Antibabylonische Polemik”; see also Baruch Halpern, “Assyrian and Pre-Socratic Astronomies and the Location of the Book of Job,” in *Kein Land für sich allein: Studien zum Kulturkontakt in Kanaan, Israel und Ebirnâri für Manfred Weippert zum 65. Geburtstag*, ed. Ulrich Hübner and Ernst Axel Knauf, OBO 186 (Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 2002), 255–64; Halpern, “The Assyrian Astronomy of Genesis 1 and the Birth of Milesian Philosophy,” *ErIs* 27 (2002): 74–83; Halpern, “Late Israelite Astronomies and the Early Greeks,” in *Symbiosis, Symbolism, and the Power of the Past: Canaan, Ancient Israel, and Their Neighbors from the Late Bronze Age through Roman Palaestina*, ed. William G. Dever und Seymour Gitin (Winona Lake, IN: Eisenbrauns, 2003), 323–52.

60. M. Laura Gemelli Marciano, *Thales, Anaximander, Anaximenes, Pythagoras und die Pythagoreer, Xenophanes, Heraklit*, vol. 1 of *Die Vorsokratiker, Griechisch-lateinisch-deutsch: Auswahl der Fragmente und Zeugnisse, Übersetzung und Erläuterungen*, Sammlung Tusculum (Düsseldorf: Artemis & Winkler, 2007), 43.

In the somewhat later Anaximenes (ca. 585–525 BCE), one finds somewhat vague notions that indicate a shared Eastern Mediterranean scholarly discourse concerning foundational cosmological theories:

Anaximenes [says] the stars are like nails mounted to heavens as hard as iron. Some [maintain] that the stars are fiery leaves just like pictures. (DK 13.A.14).⁶¹

He said that the stars do not move under the earth like others have conjectured, but rather around the earth, like a felt hat turns on our head (DK 13.A.7).⁶²

It is obvious to some degree that the stars hang in the heavens. However, it is quite striking that almost simultaneously with Gen 1 and its Babylonian corollary, a similar technical conception of the stars is attested in Greece. It interprets them as fixtures in the heavenly dome and the heavenly dome itself as the border to upper waters. The second citation illustrates that the stars are always above, exactly as in *Enuma Elish* and Gen 1.

The pre-Socratics share with Gen 1 the conviction that the stars are not self-sufficient entities but rather fixtures in the sky that pass on a primordial fire that preceded them. The stars are not flying objects but instead are fixed to the heavens. However, unlike Gen 1, they consist of “ice” rather than “compressed material.”

While the similarity in the concepts is limited, it does exist and allows for the conclusion of the presence of corresponding cultural contact and discourse. Therefore, scholarship in antiquity was not a regional undertaking, but cultures apparently engaged in exchange about their theories and in doing so took steps toward one another.

23.6. The Scholarly Revision of Genesis 1–11 in the Septuagint

The fact that the progression of scholarly discourse shaped the form of the biblical creation narrative in a further way already in antiquity can be seen in two conspicuous features of the translation of Gen 1–11 into the Greek language.

61. Gemelli Marciano, *Die Vorsokratiker*, 1:79.

62. Gemelli Marciano, *Die Vorsokratiker*, 1:79.

23.6.1. The Prolongation of World History in Genesis 5

To start with, it appears that the biblical age of the world seemed somewhat short for the Greek cultural sphere, especially when bringing in all mythological traditions on the primeval and prehistory into the history of the world. For this reason, the Septuagint increased each of the ages of the ten forefathers in Gen 5 by a hundred years at the time when they became fathers. As a result, the age of the world as a whole is a full thousand years older in Greek tradition. An arbitrarily chosen example from Gen 5:6–9 demonstrates this as follows:

Gen 5:6

ἔζησεν δὲ Σηθ διακόσια καὶ πέντε ἔτη καὶ ἐγέννησεν τὸν Ἐνωσ

And when Seth was 205 years old, he became the father of Enosh.

ויחי שת חמש שנים ומאת שנה ויולד את אנוש

And when Seth was 105 years old, he became the father of Enosh.

Gen 5:7

καὶ ἔζησεν Σηθ μετὰ τὸ γεννηθῆσαι αὐτὸν τὸν Ἐνωσ ἑπτακόσια καὶ ἑπτὰ ἔτη καὶ ἐγέννησεν υἱοὺς καὶ θυγατέρας

And after Seth became the father of Enosh, he lived another 707 years and had [other] sons and daughters.

ויחי שת אחרי הולידו את אנוש שבע שנים ושמנה מאות שנה ויולד בנים ובנות
And after Seth became the father of Enosh, he lived another 807 years and had [other] sons and daughters.

Gen 5:8

καὶ ἐγένοντο πᾶσαι αἱ ἡμέραι Σηθ ἑννακόσια καὶ δώδεκα ἔτη καὶ ἀπέθανεν
So the span of Seth's whole life was 912 years, and then he died.

ויהיו כל ימי שת שתיים עשרה שנה ותשע מאות שנה וימת
So the span of Seth's whole life was 912 years, and then he died.

Gen 5:9

καὶ ἔζησεν Ἐνωσ ἑκατὸν ἐνενήκοντα ἔτη καὶ ἐγέννησεν τὸν Καϊναν

And when Enosh was 190 years old, he became the father of Kenan.

ויחי אנוש תשעים שנה ויולד את קינן

And when Enosh was 90 years old, he became the father of Kenan.

One sees that Seth dies at the age of 912 years old in both the Hebrew and the Greek versions (5:8). However, his son Enosh was born one hundred years later in the Greek version than in the Hebrew one, at 205 rather than 105 years old. As a result, the overall chronology from generation to generation that is based on the ages when they become fathers is extended by a hundred years each. After ten generations, the world is a thousand years older.

23.6.2. Genesis 1 and Plato's *Timaeus*

This cultural contact also left a deposit in the terminology used by the Septuagint for the creation of the world in Gen 1. Its terminology and implicit conceptions lean on Plato's *Timaeus* and evidently attempt to harmonize biblical and Platonic cosmology.⁶³ According to the Septuagint, the biblical description of the world is nothing other than the one found in Greek philosophy and science. The similarity to *Timaeus* is first on display in Gen 1:2: The Septuagint describes the state of the world before the creation, which appears in the Hebrew as the proverbial תהו ובהו (that is, a "life-threatening desert," cf. Isa 34:11; Jer 4:23), as ἀόρατος καὶ ἀκατασκεύαστος ("invisible and unworked"). This appears to refer to the corresponding distinction between the world of ideas and the material world guiding *Timaeus*. Furthermore, the rendering of רקיע ("firmament") in Gen 1:6 with στερέωμα ("scaffold") may also possibly be explained on the basis of *Timaeus*, where the related adjective στερεός ("firm, solid") appears multiple times for the heavenly bodies (31b; 43c; and often), though this point of contact remains uncertain.

23.7. The Integral Interpretation of the World by Genesis 1–10

If one understands "world" in a completely comprehensive manner, then one can speak of the attempt to interpret the world as a whole in Gen 1–10. It locates the foundational events and structures that concern the world, humanity, and God, connected in relationship to one another. The depiction is given a fundamentally etiological orientation. Its provisional ending point, though still mutable, in its essential respects has acquired a

63. See Martin Rösel, *Übersetzung als Vollendung der Auslegung: Studien zur Genesis-Septuaginta*, BZAW 223 (Berlin: de Gruyter, 2004), 31, 36, 60, 81–87.

stable quality in Gen 10. This is the world that the creation reaches at the end of its fundamental evolution. According to Gen 1–10, it is guided by a deity, who at the end of his own foundational evolution becomes what he is—a now trustworthy but distant ruler over an ambivalent, plurally structured world whose main features correspond to the early Persian-period experiences of reality of its priestly authors. In it they probably saw the theocratic end of history.⁶⁴ According to their perspective, the world certainly had a beginning, but it had no end.

64. Cf. de Pury, “P⁸ as the Absolute Beginning.”

Judean Identity and Ecumenicity: The Political Theology of the Priestly Document

24.1.

Numerous texts in the Hebrew Bible deal with the problem of Judean identity in the international context of the Persian period. However, one perspective stands out in terms of its degree of political and theological reflection: the so-called Priestly document (P). Despite the numerous storms engulfing the Documentary Hypothesis,¹ P still seems to continue as a workable hypothesis. There are many good reasons to conclude that its text began as a stand-alone source (rather than as a redactional layer), reaching from creation to at least Sinai, even if the final ending point remains unclear.² While not everyone

1. See Jan C. Gertz, Konrad Schmid, and Markus Witte, eds., *Abschied vom Jahwisten: Die Komposition des Hexateuch in der jüngsten Diskussion*, BZAW 315 (Berlin: de Gruyter, 2002); Thomas Dozeman and Konrad Schmid, eds., *A Farewell to the Yahwist? The Composition of the Pentateuch in Recent European Interpretation*, SymS 34 (Atlanta: Society of Biblical Literature, 2006).

2. Cf. the general thematic agreement, but variability with regard to the literary end at either Exod 29 (Eckart Otto, "Forschungen zur Priesterschrift," *TRu* 62 [1997]: 1–50), Exod 40 (Thomas Pola, *Die ursprüngliche Priesterschrift. Beobachtungen zur Literarkritik und Traditionsgeschichte von Pg*, WMANT 70 [Neukirchen-Vluyn: Neukirchener Verlag, 1995]; Reinhard G. Kratz, *Die Komposition der erzählenden Bücher des Alten Testaments*, UTB 2157 [Göttingen: Vandenhoeck & Ruprecht, 2000], 102–17; Michaela Bauks, "La signification de l'espace et du temps dans l'historiographie sacerdotale," in *The Future of the Deuteronomistic History*, ed. Thomas Römer, BETL 147 [Leuven: Peeters, 2000], 29–45), Lev 9 (Erich Zenger, "Priesterschrift," *TRE* 27:435–46; Zenger, *Einleitung in das Alte Testament*, KStTh 1.1, 5th ed. [Stuttgart: Kohlhammer, 2004], 156–75) or Lev 16 (Matthias Köckert, *Leben in Gottes Gegenwart: Studien zum Verständnis des Gesetzes im Alten Testament*, FAT 43 [Tübingen: Mohr

dates P to the Persian period, this seems to be the most viable option.³ Because of its considerably critical stance toward Egypt and its specific presentation of the sanctuary as a geographically unbound unit, an early dating of P within the postexilic period before 525 BCE has some advantages, but this is neither compelling nor completely necessary for this argument.

Siebeck, 2004], 105; Christophe Nihan, *From Priestly Torah to Pentateuch: A Study in the Composition of the Book of Leviticus*, FAT 2/25 [Tübingen: Mohr, 2006], 20–68). A staggering of endings within the Priestly document between Exod 40 and Lev 26 is suggested by Jan C. Gertz, ed., *Grundinformation Altes Testament: Eine Einführung in Literatur, Religion und Geschichte des Alten Testaments*, 2nd ed., UTB 2745 (Göttingen: Vandenhoeck & Ruprecht, 2007), 236. Christian Frevel, *Mit Blick auf das Land die Schöpfung erinnern*, HBS 23 (Freiburg im Breisgau: Herder, 2000), supports the traditional conclusion in Deut 34 (see also Ludwig Schmidt, *Studien zur Priesterschrift*, BZAW 214 [Berlin: de Gruyter, 1993], 271; Peter Weimar, *Studien zur Priesterschrift*, FAT 56 [Tübingen: Mohr Siebeck, 2008], 17). Joseph Blenkinsopp, “The Structure of P,” *CBQ* 38 (1976): 275–92; Norbert Lohfink, “Die Priesterschrift und die Geschichte,” in *Congress Volume Göttingen 1977*, ed. John A. Emerton, VTSup 29 (Leiden: Brill, 1978), 183–225; repr., *Studien zum Pentateuch*, SBAB 4 (Stuttgart: Katholisches Bibelwerk, 1988), 213–53; Ernst Axel Knauf, “Die Priesterschrift und die Geschichten der Deuteronomisten,” in Römer, *Future of the Deuteronomistic History*, 101–18; Philippe Guillaume, *Land and Calendar: The Priestly Document from Genesis 1 to Joshua 18*, LHBOTS 391 (New York: T&T Clark, 2008), see the conclusion of P^s in Joshua. For a sketch of the land thematic in P see Matthias Köckert, “Das Land in der priesterlichen Komposition des Pentateuch,” in *Von Gott reden: Beiträge zur Theologie und Exegese des Alten Testaments; Festschrift für Siegfried Wagner zum 65. Geburtstag*, ed. Dieter Vieweger and Ernst-Joachim Waschke (Neukirchen-Vluyn: Neukirchener Verlag, 1995), 147–62; Ludwig Schmidt, *Studien*, 251–74; Schmid, *Genesis and the Moses Story: Israel's Dual Origins in the Hebrew Bible*, Siphut 3 (Winona Lake, IN: Eisenbrauns, 2010); trans. of *Erzväter und Exodus: Untersuchungen zur doppelten Begründung der Ursprünge Israels in den Geschichtsbüchern des Alten Testaments*, WMANT 81 (Neukirchen-Vluyn: Neukirchener Verlag, 1999), 240–46; Michaela Bauks, “Die Begriffe מורשה und אחזה in P^s: Überlegungen zur Landkonzeption der Priestergrundschrift,” *ZAW* 116 (2004), 171–88. For the thematic dimensions of this inclusion see Bernd Janowski, “Tempel und Schöpfung: Schöpfungstheologische Aspekte der priesterschriftlichen Heiligtumskonzeption,” *JBTh* 5(1990): 37–69; repr., *Gottes Gegenwart in Israel: Beiträge zur Theologie des Alten Testaments* (Neukirchen-Vluyn: Neukirchener Verlag, 1993), 214–46.

3. A convenient discussion is provided by Jean-Louis Ska, *Introduction to Reading the Pentateuch* (Winona Lake, IN: Eisenbrauns, 2006), 159–61.

24.2.

In order to understand the political theology of P in its Persian-period setting, it is, of course, necessary to keep in mind that P speaks about the past, not the present. Its historical range covers the time period between the creation and Moses. However, P clearly uses this mythical past in order to sketch the everlasting political and religious organization of its contemporary world. For P, the Persian period is, to use an anachronistic slogan, the end of history: God's political will has become clear with the Achaemenid rule over the world. However, God's will is not the same for everyone in P's world, because this world has a particular structure. Ever since Julius Wellhausen, scholars have noticed the importance of the notion of "covenant" for P's political theology.⁴ Wellhausen's own interpretation, following Heinrich Ewald's approach, which saw a four-covenant book (*liber quattuor foederum*) in P, turns out to be faulty.⁵ Present scholarship, especially in the German-speaking discussion, correctly follows scholars such as Josué Jean Philippe Valetton and Walther Zimmerli, who argued for a two-covenant theology (pointing to Gen 9 and Gen 17).⁶ These two covenants are held to establish a two-part structure in P differentiating between the "circle of the world" (*Weltkreis*) and the "circle of Israel" (*Israelkreis*).

This paper will argue that while this conclusion is not fundamentally wrong, neither is it completely correct. While different approaches to structuring P have been proposed, by Joseph Blenkinsopp or Norbert Lohfink, for example,⁷ the present argument will focus on the "circle" model because it is of crucial importance for P's political stance.

It is always helpful to understand how exegetical theories came about. In the case of the two-circle model for P, it is not very difficult to track down its origins. The terminology of "circles" (*Kreise*) to describe the structure of

4. A different approach is offered by Blenkinsopp, "Structure."

5. Heinrich Ewald, *Geschichte des Volkes Israel*, 3rd ed. (Göttingen: Vandenhoeck & Ruprecht, 1864), 116–23. Julius Wellhausen, *Die Composition des Hexateuch und der historischen Bücher des Alten Testaments*, 3rd ed. (Berlin: Reimer, 1899), 1–2.

6. See especially Walther Zimmerli, "Sinaibund und Abrahambund: Ein Beitrag zum Verständnis der Priesterschrift," *TZ* 16 (1960): 268–80; repr., *Gottes Offenbarung: Gesammelte Aufsätze zum Alten Testament*, TB 19 (Munich: Kaiser, 1963), 205–17; before him, already Josué Jean Philippe Valetton, "Bedeutung und Stellung des Wortes ברית im Priestercodex," *ZAW* 12 (1892): 1–22.

7. Blenkinsopp, "Structure;" Lohfink, "Die Priesterschrift und die Geschichte." See also the discussion in Ska, *Introduction to Reading*, 153–57.

P was introduced by Gerhard von Rad in his 1934 book *Die Priesterschrift im Hexateuch: Literarisch untersucht und theologisch gewertet*. However, von Rad suggested a three rather than a two-part structure for P. He differentiated between “three big concentric circles that move from the outside inward toward the salvific mystery of God: the circle of the world, the circle of Noah, and the Abrahamic circle.”⁸ Later, especially Odil H. Steck picked up on von Rad’s language of circles. However, he reduced the number of circles from three to two, though without any comment.⁹ This two-part structure of P seemed to become almost canonical, at least within German-speaking scholarship. For example, Erich Zenger’s *Einleitung in das Alte Testament* adopts this model, even though it does not fit his own interpretation of P. Zenger explicitly quotes Steck and retains his suggested two circle model of P as “most plausible.”¹⁰ But ironically, he presents this twofold structure in a three-part schema that substantially contradicts his argument.

8. Von Rad, *Die Priesterschrift im Hexateuch: Literarisch untersucht und theologisch gewertet*, BWANT 65 (Stuttgart: Kohlhammer, 1934), 167: “drei mächtige konzentrische Kreise ... die von aussen nach innen fortschreitend in das Heilsgeheimnis Gottes einführen: der Weltkreis, der Noahkreis und der abrahamitische Kreis.” Von Rad is followed by Bernd Janowski, *Sühne als Heilsgeschehen: Traditions- und religionsgeschichtliche Studien zur priesterschriftlichen Sühnetheologie*, 2nd ed., WMANT 55 (Neukirchen-Vluyn: Neukirchener Verlag, 2000), 9. A tripartite separation again appears in von Rad’s *Theologie des Alten Testaments*, but this one is of a different kind: “As is well known, the Priestly document presents its idea of history as a step-by-step process of the revelation of God—Noah—Abraham—Moses.” See Gerhard von Rad, *Theologie des Alten Testaments*, 2 vols. (Munich: Kaiser, 1957–1960), 1:239 = *Old Testament Theology*, trans. David Stalker, 2 vols. (New York: Harper, 1962–1965), 1:240. Unless otherwise noted, translations are mine.

9. Odil H. Steck, “Aufbauprobleme in der Priesterschrift,” in *Ernten, was man sät: Festschrift für Klaus Koch zu seinem 65. Geburtstag*, ed. Dwight R. Daniels, Uwe Glessmer, and Martin Rösel (Neukirchen-Vluyn: Neukirchener Verlag, 1991), 287–308, esp. 307. Cf. the discussion of alternative structures for P as a whole, 305–6.

10. Zenger, *Einleitung*, 167–68, and his earlier study *Gottes Bogen in den Wolken: Untersuchungen zu Komposition und Theologie der priesterschriftlichen Urgeschichte*, SBS 112 (Stuttgart: Katholisches Bibelwerk, 1983), 137–39. See also Werner Hugo Schmidt, *Einführung in das Alte Testament*, 5th ed. (Berlin: de Gruyter, 1995), 104–5.

Text	Deity	Key Theological Words
Creation	Elohim (God)	Elohim <i>blesses</i> the humans and entrusts them with the earth.
Flood		Elohim <i>blesses</i> the humans and establishes/gives his <i>covenant</i> (ברית) and entrusts them with the earth.
Abraham	Elohim as El Shaddai (“the Almighty”)	El-Shaddai establishes/gives his <i>covenant</i> (ברית) and <i>blesses</i> Abraham and his descendants (Gen 17:7–8: the contents of the ברית: promise of divine presence and gift of land).
Jacob		El-Shaddai <i>blesses</i> Jacob and his descendants (Gen 35:12: renewal of the land promise).
Exodus	YHWH	YHWH recalls his <i>covenant</i> and creates his <i>glory</i> (כבוד) before the gods of Egypt (Exod 6:2–8: Repeat of the ברית: promise from Gen 17:7–8).
Sinai		YHWH’s creational <i>glory</i> (כבוד) appears and dwells in the midst of His entire people. (Exod 29:43–46, 40:34–35; Lev 9:23–24: Fulfillment of the presence of God as well as the affirmation of the promise of land given to the ancestors).

Regarding P’s political worldview, I contend that the three-part schema is essentially correct, while the suggestion of a two-part structure misses some key elements of P’s political theology. The primary support for interpreting P’s political theology as structured in three concentric circles is its very well-known threefold notion of God:¹¹ P differentiates between (1)

11. Albert de Pury, “Abraham: The Priestly Writer’s ‘Ecumenical’ Ancestor,” in *Rethinking the Foundations: Historiography in the Ancient World and in the Bible; Essays in Honour of John Van Seters*, ed. Steve L. McKenzie and Thomas Römer, BZAW 294 (Berlin: de Gruyter, 2000), 172–73; de Pury, “P^s as the Absolute Beginning,” in *Les dernières redactions du Pentateuque, de l’Hexateuch et de l’Ennéateuch*, ed. Thomas Römer and Konrad Schmid, BETL 203 (Leuven: Peeters, 2007), 109–11; cf. Konrad Schmid, “Differenzierungen und Konzeptualisierungen der Einheit Gottes in der Religions- und Literaturgeschichte Israels: Methodische, religionsgeschichtliche und exegetische Aspekte zur neueren Diskussion um den sogenannten ‘Monotheismus’ im antiken Israel,” in *Der eine Gott und die Götter: Polytheismus und Monotheismus im antiken Israel*, ed. Manfred Oeming and Konrad Schmid, ATANT 82 (Zurich: TVZ,

a circle of the world over which God stands as אֱלֹהִים, (2) an Abrahamic circle to which God relates as אֵל שַׁדַּי, and (3) an Israelite circle inside which God can be called upon with his real and cultic name יְהוָה.¹²

The circle of the world includes the entire politically ordered world, which, however, does not need to correspond with the then-known world in its entirety. The largest geographic exception for P might be Egypt, reflecting the anti-Egyptian notions emerging from the Priestly plague narrative¹³ and P's only mention of "gods" (the "gods of Egypt") in Exod 12:12. These polemics stand in opposition to P's otherwise inclusive theology.¹⁴ The circle of the world has stood under the unbroken promise of God since the Noahic covenant of Gen 9, namely that God will never threaten global judgment again.

The circle of Abraham includes "the Abrahamic household," consisting of the Arabs (Ishmael), Israel (Samaria) and Judah (Jacob), and Edom (Esau). Inter-marriage within this circle is allowed: According to P, Esau marries—ille-

2003), 11–38. However, it is noteworthy that the geographic closeness repeatedly contradicts the theological perspective because Jacob becomes the father of not only a nation through the promise but a "collection of nations" (קהל עמים Gen 28:3; 48:4) or a "nation and a collection of nations" (גוי וקהל גוים Gen 35:11). P may be considering the juxtaposition of the Samaritans and Judeans at this point, but hardly the tribes of Israel as has often been suggested in the past, who are never called גוי or עם in Genesis (see also de Pury, "Abraham," 170 n. 26).

12. (1) For a discussion of the cosmological "location" of God and the theology of God's presence as כבוד יהוה in the Priestly document, see Konrad Schmid, "God of Heaven, God of the World, and Creator: 'God' and the 'Heavens' in the Literature of the Second Temple Period," ch. 31 in this volume. (2) For אֵל שַׁדַּי, see Ernst Axel Knauf, "Shadday," *DDD*, 1416–23. (3) Norbert Lohfink, "Die priesterschriftliche Abwertung der Tradition von der Offenbarung des Jahwenamens an Mose," *Bib* 49 (1968): 1–8; repr., *Studien zum Pentateuch*, SBAB 4 (Stuttgart: Katholisches Bibelwerk, 1988), 71–78; cf. the criticism by Erhard Blum, *Studien zur Komposition des Pentateuch*, BZAW 189 (Berlin: de Gruyter, 1990), 235–36.

13. See Blum, *Komposition des Pentateuch*, 242–56; Jan C. Gertz, *Tradition und Redaktion in der Exoduserzählung: Untersuchungen zur Endredaktion des Pentateuch*, FRLANT 186 (Göttingen: Vandenhoeck & Ruprecht, 2000), 79–97. See also Michaela Bauks, "Das Dämonische im Menschen: Einige Anmerkungen zur priesterschriftlichen Theologie (Ex 7–14)," in *Die Dämonen: Die Dämonologie der israelitisch-jüdischen und frühchristlichen Literatur im Kontext ihrer Umwelt; Demons; The Demonology of Israelite-Jewish and Early Christian Literature in Context of Their Environment*, ed. Armin Lange, Hermann Lichtenberger, and K. F. Diethard Römheld (Tübingen: Mohr Siebeck, 2003), 239–53.

14. See Schmid, "Differenzierungen."

gitimately (Gen 26:34, 27:46)—two “Hittite women” (26:34).¹⁵ Subsequently, Jacob receives advice from his parents to marry a woman from among his kin in Paddan Aram (27:46, 28:1–5). In response Esau marries another woman, one of the daughters of his uncle Ishmael (28:6–9). Therefore, it can be concluded with Albert de Pury: “According to P, Jews are permitted to intermarry with Ishmaelite and Edomite women, but not with ‘Hittite’ or ‘Canaanite’ women.”¹⁶ P furthermore records the genealogy of Ishmael’s descendants (25:12–18) as well as Esau’s (36:4–14), who possess a qualified theological closeness to Israel through this ethnic proximity.¹⁷ This Abrahamic circle is defined by the Abrahamic covenant of Gen 17, which promises the participating covenant partners fruitfulness, land inheritance (which seems to imply a right to use rather than to possess), and proximity to God.

The circle of Israel narrows the focus to the nation of God alone. It is generally concerned with the establishment of the sanctuary, which enables the sacrificial cult of Israel. This sacrificial cult alone is what allows Israel to achieve atonement. The sanctuary and the implementation of the cult seem to function as partial restoration of the initial creation, in the sense of a second “creation within creation.”¹⁸ The circle of Israel is not established by its own covenant, since the foundational promise of the presence of God (“I will be your God”) was already given in Gen 17:7 (cf. Exod 6:7; 29:45–46). Nevertheless, the establishment of the sanctuary concretizes the presence of God specifically

15. It remains unclear what this designation signifies. At any rate, these “Hittite women” have more in common with the “Canaanites” than with the historical “Hittites.” See Gregory McMahon, “Hittites in the OT,” *ABD* 3:231–33. See, however, the position of Moshe Weinfeld, “Traces of Hittite Cult in Shiloh, Bethel and in Jerusalem,” in *Religionsgeschichtliche Beziehungen zwischen Kleinasien, Nordsyrien und dem Alten Testament*, ed. Bernd Janowski, Klaus Koch, and Gernot Wilhelm, OBO 129 (Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 1993), 455–72.

16. Albert de Pury, “Der priesterschriftliche Umgang mit der Jakobsgeschichte,” in *Schriftauslegung in der Schrift: Festschrift für Odil Hannes Steck zu seinem 65. Geburtstag*, ed. Reinhard G. Kratz, Thomas Krüger, and Konrad Schmid, BZAW 300 (Berlin: de Gruyter, 2000), 55.

17. See Roger Syré, *The Forsaken First-Born: A Study of a Recurrent Motif in the Patriarchal Narratives*, JSOTSup 133 (Sheffield: Sheffield Academic, 1993), 122–29; Thomas Hieke, *Die Genealogien der Genesis*, HBS 39 (Freiburg im Breisgau: Herder, 2003), 144–50, 175–91.

18. Blum, *Komposition des Pentateuch*, 287–322, esp. 311; Köckert, *Leben*, 102–7.

for Israel by locating God's שכינה in the midst of his people (cf. Exod 29:45–46).¹⁹

24.3.

Obviously, this proposal of a three-circle structure in P is substantially dependent on the specifics of the Abraham circle and especially Gen 17, whose theological profile remains contentious among interpreters.²⁰ With whom does God make a covenant in Gen 17? Or, in the language of the Priestly document, to whom does God promise fruitfulness, land inheritance, and proximity to God?

This question has received nearly every conceivable answer in twentieth-century scholarship. Heinrich Holzinger began the discussion in 1898 by noting that Gen 17:19, 21 narrows the covenant of Gen 17:7—clearly made with Abraham and all his descendants—to the Isaac line: “I will establish my covenant with Isaac.”²¹ Subsequently, Hermann Gunkel concluded that Gen 17:23–27 stands in contradiction with 17:19–21:

P made a mistake when Ishmael receives circumcision because he hereby becomes the first example of an heir to the leader, while he is at the same time explicitly removed from the covenant that makes circumcision its symbol of inclusion.²²

19. Janowski, *Sühne*, 306; cf. Köckert, “Das Land,” 153 n. 21.

20. Benjamin Ziemer (*Abram–Abraham: Kompositionsgeschichtliche Untersuchungen zu Gen 14, 15 und 17*, BZAW 350 [Berlin: de Gruyter, 2005], 280–90, 389) has recently disputed the so-called *Priestergrundschrift* in Gen 12–36; however, this attempt does not have sufficient textual support. Therefore this proposal may be rejected.

21. Heinrich Holzinger, *Genesis*, KHC 1 (Freiburg im Breisgau: Mohr, 1898), 128: “Verses 19 and 21 contain the specific explanation that the *bərīt* that God decreed for Abraham only applies to Sarah’s son; all that remains for Ishmael is a simple blessing, as 20 comes in the middle to make Ishmael’s future standing precise” (“V. 19 und 21 enthalten die bestimmte Erklärung, dass die B^crith, die Gott gegenüber dem Abraham verfügt, nur dem Sohn der Sara gilt; für Ismael bleibt da nur ein einfacher Segen übrig, wie 20 dazwischen hinein die künftige Stellung Ismaels präzisiert”).

22. Hermann Gunkel, *Genesis: übersetzt und erklärt*, 8th ed., HKAT 1.1 (Göttingen: Vandenhoeck & Ruprecht, 1969), 272: “Dabei hat P den Fehler gemacht, dass auch Ismael die Beschneidung bekommt: er ist sogar hier als erstes Exempel des Haussohnes die Hauptperson, während er andererseits von dem Bunde, dessen Zeichen die Beschneidung ist, ausdrücklich ausgenommen sein soll.”

Neither Holzinger nor Gunkel suggested the separation of different textual layers in Gen 17. They instead limited themselves to the observation that P appears to be inconsistent at this point. This probably results from the long shadow of Wellhausen, who saw this chapter as a clearly unified text: “There is nothing to say about Genesis 17.”²³ Rudolf Smend Sr., however, considered the contradictory ideas in Gen 17 a sign of literary growth:

The law concerning the circumcision of slaves is inserted in 17:12b, 13a, and is connected with a further expansion in vv. 23–27. A later hand must have reworked these verses because P—who continues the covenant only to Isaac (vv.19, 21)—could not possibly have narrated the circumcision of Ishmael.²⁴

In 1916, Walter Eichrodt concurred with Smend:

As Gunkel and Holzinger had already noticed, the inclusion of Ishmael and foreign slaves in the covenant with Yahweh actually contradicts the general thrust of the narrative. However, they still allowed the contradiction to remain a constitutive part of P^s itself. It would be more correct to determine verses 12b, 13a, 23–27 in Gen 17 as secondary insertions to P^s.²⁵

Carl Steuernagel appeared to relate his comments to these interpreters a few years later, stating:

It has been observed numerous times that there is a certain contradiction in Gen 17, namely, that the ברית through which God has committed

23. Wellhausen, *Die Composition des Hexateuch*, 23: “Über Gen. 17 ist nichts zu bemerken.”

24. Smend, *Die Erzählung des Hexateuch auf ihre Quellen untersucht* (Berlin: Reimer, 1912), 9 (see also 37): “Eingeschoben ist ferner 17,12b.13a das Gebot, die Sklaven zu beschneiden, womit eine starke Erweiterung in v 23–27 zusammenhängt. Diese Verse müssen auch deshalb von späterer Hand überarbeitet sein, weil P, der den Bund allein auf Isaak übergeln lässt [v 19.21], unmöglich von einer Beschneidung Ismaels erzählt haben kann.”

25. Walther Eichrodt, *Die Quellen der Genesis von neuem untersucht*, BZAW 31 (Giessen: Töpelmann, 1916), 27, with an explicit reference to Smend in n. 13: “Was die Aufnahme Ismaels und der fremden Sklaven in den Bund mit Jahve betrifft, so haben auch schon Gunkel und Holzinger bemerkt, dass sie eigentlich der in der Erzählung liegenden Tendenz widerspricht; doch lassen sie es bei der Konstatierung dieses Widerspruchs in P^s selbst bewenden. Richtiger ist es wohl, in Gen 17 die Verse 12b.13a.23–27 als sekundären Einschub bei P^s zu streichen.”

himself to certain obligations is, on the one hand, narrowed to only Isaac and his descendants and not to Ishmael (vv. 19ff.). On the other hand, the circumcision commanded in vv. 10ff. and declared the sign of the ברית according to v. 11 is performed on all of the descendants of Abraham—also on Ishmael and even Abraham’s slaves and their descendants—so that they carry the sign of the ברית but without implying that the ברית has been extended to them.²⁶

Steuernagel’s own suggestion included a fourfold diachronic differentiation of Gen 17, including a pre-Priestly foundation and two additions to the Priestly document itself.²⁷

26. Carl Steuernagel, “Bemerkungen zu Genesis 17,” in *Beiträge zur alttestamentlichen Wissenschaft: Karl Budde zum siebenzigsten Geburtstag am 13. April 1920 überreicht von Freunden und Schülern*, ed. Karl Marti, BZAW 34 (Giessen: Töpelmann, 1920), 172–79, here 172: “Es ist bisher wohl schon mehrfach beachtet worden, dass in Gen 17 ein gewisser Widerspruch steckt, sofern ausdrücklich erklärt wird, die ברית, durch die sich Gott an bestimmte Verpflichtungen gebunden hat, beziehe sich nur auf Isaak und dessen Nachkommen und nicht auch auf Ismael (v. 19ff.), und andererseits in v. 10ff geboten wird, die Beschneidung, die nach v. 11 das Zeichen der ברית ist, an allen Nachkommen Abrahams, also auch an Ismael, ja selbst an den Sklaven Abrahams und seiner Nachkommen zu vollziehen, so dass sie das Zeichen der ברית an sich tragen, ohne dass die ברית sich auf sie erstreckt.”

27. Steuernagel, “Bemerkungen,” 177. There are two noteworthy arguments that guide Steuernagel’s conclusions. The first is that he assumes that the Abrahamic covenant in the stratum of the Priestly document itself could only apply to the Israelite descendants of Abraham: “It is clear that these ברית promises only relate to the Israelites, for YHWH is only their God, and the land of Canaan belongs only to them” (“Es ist klar, dass diese ברית-Zusagen [in Gen 17:7–8] nur auf die Israeliten Bezug haben können, denn nur ihr Gott ist Jahwe und nur ihnen gehört das Land Kanaan”) (173). The second argument is that, from Steuernagel’s perspective, the narrowing of the Abrahamic covenant to Isaac is the decisive evidence that the Priestly document was not aware of a Sinai covenant: “Now it is a very noteworthy fact that in all its layers, P is not familiar with any further ברית, especially not the Sinai ברית. This fact only becomes comprehensible if P⁸ had depicted the Abraham-ברית in such a way that an additional Sinai-ברית was no longer necessary; therefore, if the Abraham-ברית from its beginning was related to Abraham and his Israelite descendants and only them” (“Nun ist es aber eine sehr bemerkenswerte Tatsache, dass P in allen seinen Schichten keine weitere ברית und insbesondere keine Sinai ברית kennt. Diese Tatsache wird nur dann verständlich, wenn P⁸ die Abraham-ברית so dargestellt hatte, dass daneben eine Sinai-ברית nicht mehr nötig war, wenn also die Abraham-ברית als eine von vornherein auf

Otto Procksch's Genesis commentary followed Steuernagel's lead: "Verse 19 אַבְל ... opposes the notion that Ishmael should be the bearer of the covenant, thereby denying Abraham's distraction (v. 18)."²⁸ Procksch solved the tension of Ishmael's circumcision as follows:

The only fully qualified bearers of the covenant are the family of Abraham through Isaac (vv. 15ff.), who grow up into the covenant people for whom God is the covenant God (v. 19 G*). For Ishmael, circumcision is only a sign of relationship with Abraham's family by blood and custom upon which a blessing of a nation is based (v. 20): for these second-class members of the household, circumcision is only a household ritual requirement without promise.²⁹

Von Rad reached a similar conclusion in his aforementioned 1934 study. In his judgment, P separated humanity into three concentric circles—the world, the Noahic circle, and the Abrahamic circle—in which the Abrahamic is the smallest and innermost circle. Von Rad did recognize, however, that the periods of Abraham and Moses are further subdivided:

Although there is certainly an inner development between Abraham and Moses, this is a historical development from promise to fulfillment, and therefore cannot really be seen as similar to the development in salvation-economies from Gen 9 to Gen 17.³⁰

Abraham und seine israelitischen Nachkommen und nur auf diese bezügliche dargestellt war") (178).

28. Otto Procksch, *Die Genesis übersetzt und erklärt*, 3rd ed., KAT 1 (Leipzig: Deichertsche Verlagsbuchhandlung, 1924), 522: "v. 19 אַבְל ... steht gegensätzlich, um Abrahams Ablenkung [v. 18] auszuschliessen, als solle Iśma'el Bundesträger sein". Procksch suggests that G* in v. 19 has been expanded with "to be their God," in order to further clarify that the narrowing of the covenant proclamation. For more detail regarding potential expansions to Gen 17, see n. 70 below.

29. Procksch, *Die Genesis*, 520: "Der volle Träger des Bundes ist nur Abrahams in Isaak verheissenes Geschlecht [v. 15ff.], das zum Bundesvolke heranreift, in dem Gott Bundesgott ist (v. 19 G*). Dagegen ist für Iśma'el die Beschneidung nur Zeichen der Verwandtschaft mit Abrahams Geschlecht nach Blut und Sitte, in der ein Volkssegen begründet ist (v. 20), für das Ingesinde ist sie lediglich Forderung als tabu des Hauswesens ohne Verheissung."

30. Von Rad, *Die Priesterschrift*, 176: "Gewiss, es besteht ein innerer Fortschritt zwischen Abraham und Mose; aber das ist der der historische Fortschritt [*sic*] von

However, he followed this up by adding: "We must free ourselves, however, from the notion that P had an absolutely precise schema that he carried out in the creation of his work."³¹

According to von Rad, the Priestly document lacked precision especially in its extension of the Abrahamic covenant:

The information that the proclamation regarding great fruitfulness for the descendants of Abraham includes the descendants of the Edomites and the children of Keturah contradicts the conclusion that the same promise is also given to Isaac and Jacob. It remains indecipherable what theological concern the report had in mind when stating that the Edomites and Arabs are sons of Abraham. The promise concerning the great fruitfulness of Abraham's descendants cannot be conceived of outside the close relationship between the Abrahamic covenant and the inaugurated *divine relationship*. This would be the case, however, if this element of the promise also includes the Edomites and Arabs.³²

This discrepancy is explained by von Rad as follows:

We are dealing here with what are obviously some traditional elements. The Yahwist does not follow this line of thinking any further either and gives his readers no concrete picture about the way in which "all nations of the earth will be blessed through Abraham." It therefore appears to have been received through the transmission of traditional elements from the beginning of the particular line of reasoning in

der Verheissung zur Erfüllung, und der kann nun wirklich nicht entfernt verglichen werden mit dem heilsökonomischen Fortschritt von Gen. 9 zu Gen. 17."

31. Von Rad, *Die Priesterschrift*, 176: "Von dem Gedanken, P habe ein nach einem Schema absolut präzis durchgeführtes Werk geschaffen, müssen wir uns allerdings freimachen."

32. Von Rad, *Die Priesterschrift*, 177: "Die Auskunft, die Aussage der grossen Vermehrung des Abrahamssamens beziehe sich auf die von Abraham gleichfalls abstammenden Edomiter und Keturasöhne, versagt angesichts der Feststellung, dass die gleiche Verheissung auch dem Isaak und Jakob gegeben ist. Es ist auch nicht erfindlich, mit welchem theologischen Anliegen sich die Mitteilung, dass auch die Edomiter und Araber Abrahamssöhne seien, verbinden liesse; die Verheissung grosser Vermehrung des Abrahamssamens kann doch nicht ohne die enge Beziehung zu dem durch den Abrahamsbund inaugurierten *Gottesverhältnis* gemeint sein; das wäre aber der Fall, wenn dieses Verheissungselement sich auch auf die Edomiter und Araber bezöge" (emphasis original).

order to express this final goal programmatically. Perhaps P in this case instead follows the tradition, since this element stands outside its particular interests.”³³

While source-critical evaluations since Paul Humbert have rejected the separation of P in two sources as suggested by von Rad, they have also been silent with regard to the diachronic analysis of Gen 17.³⁴ The literary unity of Gen 17 appears to have been secured both by the analysis of Sean McEvenue, who is able to show that the chapter could be organized carefully, albeit in two (!) overlaying structures, and by Claus Westermann’s and Erhard Blum’s warm receptions of his conclusions.³⁵ They speak for the literary unity of Gen 17 in which the covenant of God applies only the descendants of Abraham through the line of Isaac.

In his Genesis commentary, Horst Seebass reaches the same conclusion, and his opinion with regard to the promised son is as follows: “Verse 19 renders God’s word unequivocal. It does not deal so much with an admonition for Abraham...; rather, it uses Abraham’s laughing and doubt in order to clarify the point that the covenant will only proceed by way of this miraculous son.”³⁶ The results for Ishmael are the opposite: “Ish-

33. Von Rad, *Die Priesterschrift*, 177–78: “Wir [haben] es hier offenbar mit einem allgemeinen Traditionselement zu tun. Auch der Jahwist verfolgt ja diesen Gedanken nicht weiter und gibt seinen Lesern keine konkrete Vorstellung darüber, inwiefern ‘sich alle Geschlechter der Erde in Abraham segnen werden’. Es scheint also von der Überlieferung gegeben gewesen zu sein, gerade am Beginn der partikularen Linie dieses letzte Ziel programmatisch zum Ausdruck zu bringen. Ob P hier etwa mehr dem Herkommen folgt, ob nicht vielleicht dieses Element ausserhalb seiner besonderen Anliegen steht, kann man immerhin fragen.” Von Rad does not appear to have changed his position noticeably in his later Genesis commentary, cf. von Rad, *Das erste Buch Mose: Genesis*, ATD 2–4 (Göttingen: Vandenhoeck & Ruprecht, 1952–1953), 172.

34. Paul Humbert, “Die literarische Zweiheit des Priester-Codex in der Genesis (Kritische Untersuchung der These von Rads),” *ZAW* 58 (1940–1941): 30–57; von Rad, *Die Priesterschrift*.

35. Sean E. McEvenue, *The Narrative Style of the Priestly Writer*, AnBib 50 (Rome: Pontifical Bible Institute, 1971), 145–78, esp. 158–59. Cf. the study by André Wénin, “Recherche sur la structure de Genèse 17,” *BZ* 50 (2006): 196–211. See Claus Westermann, *Genesis 12–36*, BKAT 1.2 (Neukirchen-Vluyn: Neukirchener Verlag, 1981), 307–8; Erhard Blum, *Die Komposition der Vätergeschichte*, WMANT 57 (Neukirchen-Vluyn: Neukirchener Verlag, 1984), 420–21. Cf. also Gordon J. Wenham, *Genesis 16–50*, WBC 2 (Dallas: Word, 1994), 17–18.

36. Horst Seebass, *Genesis II/1: Vätergeschichte (11,27–22,24)* (Neukirchen-Vluyn:

mael receives a promise similar to that of Abraham: fertility, extremely numerous [descendants], and princes (cf. 25:13–17). He does not, however, belong to the covenant.”³⁷

Finally, Reinhard Kratz argues concerning Gen 17:15–21: “It clearly shows that the covenant with Abram/Abraham is only propagated through the primary line of Sarai/Sarah and her son Isaac (cf. Exod 6).”³⁸

All this shows that the discussion of Gen 17 in the twentieth century has largely been dominated by the axiom made explicit by Steuernagel, that “because only their God is Yahweh and the land of Canaan only belongs to them,” then the Abrahamic covenant can only pertain to the Israelites.³⁹

There are exceptions, however. John Van Seters offers the following remarks in his Abraham book: “There is a certain amount of ambiguity in the matter of who is included within this covenant. Since all the males in Abraham’s household are circumcised, including Ishmael ... the covenant would seem to be wider than Israel.”⁴⁰

Furthermore, Westermann reckons with some kind of a graduated understanding of ברית in Gen 17, since his view of ברית in Gen 17 explic-

Neukirchener Verlag, 1997), 109: “V. 19 macht Gottes Wort eindeutig. Es enthält nicht so sehr einen Verweis Abrahams..., als dass Abrahams Lachen und Zweifel das Mittel bilden, um die Pointe scharf herauszustellen: Nur mit diesem Wundersohn wird der Bund weitergehen.”

37. Seebass, *Genesis II/1*, 110: “Ismael bekommt ganz ähnliche Zusagen wie Abraham: fruchtbar, sehr sehr zahlreich, Fürsten [vgl. 25,13–17]. Aber in den Bund gehört er nicht.” Seebass determines that the portion of Gen 17 belonging to P⁸, following Klaus Grünwaldt (*Exil und Identität: Beschneidung, Passa und Sabbat in der Priesterschrift* [Frankfurt am Main: Beltz Athenäum, 1992], 27–70), is “V.1-8.15-22.26-27a.24f,” (Seebass, *Genesis II/1*, 172). Cf. J. Alberto Soggin, *Das Buch Genesis: Kommentar*, trans. Thomas Frauenlob (Darmstadt: Wissenschaftliche Buchgesellschaft, 1997), 266: “he also will be fruitful and is meant for great things, but not to be the human partner in the divine covenant” (“auch [Ismael] er wird fruchtbar sein und ist zu Grosseem bestimmt, jedoch nicht dazu, der menschliche Partner im göttlichen Bund zu werden”).

38. Kratz, *Die Komposition*, 241: “Er [sc. der Neueinsatz] macht deutlich, dass sich der Bund mit Abram/Abraham nur über die Hauptlinie, Sarai/Sara und ihren Sohn Isaak, fortpflanzt (vgl. Ex 6).” Cf. Matthias Köckert, *Vätergott und Väterverheissungen: Eine Auseinandersetzung mit Albrecht Alt und seinen Erben*, FRLANT 142 (Göttingen: Vandenhoeck & Ruprecht, 1988), 167.

39. Steuernagel, “Bemerkungen,” 173; see nn. 26 and 27, above.

40. John Van Seters, *Abraham in History and Tradition* (New Haven: Yale University Press, 1975), 291.

itly includes 17:7, which specifically focuses on “offspring.” Therefore, the promise of descendants pertains to Ishmael as well. Contra Ernst Kutsch, Westermann argues:

While he [Kutsch] says, “The *berit* is reserved for Isaac” [and] “God’s *berit* applies only to Isaac,” this is not the case. The promise of descendants that Ishmael receives is also called *berit*. It becomes clear that the word *berit* when being connected with Isaac belongs to the new relationship with God. P coins *berit* with a new meaning in Gen 17, designating Israel’s own relationship with God.⁴¹

Westermann describes this double meaning for ברית in his Genesis commentary as follows: “Further specification is given to the promise in vv. 15–21; the promise of posterity continues in all the children of Abraham; the promise of the divine presence only in Isaac.”⁴²

Furthermore, interest in the question of Ishmael’s position in Gen 17 has increased in recent scholarship. Thomas Naumann, Albert de Pury, Ernst Axel Knauf, Mark G. Brett, and Philippe Guillaume have highlighted P’s ecumenical characterization of Abraham in different ways.⁴³ Naumann, who dealt with this theme in his unpublished Habilitationsschrift, writes:

41. Claus Westermann, “Genesis 17 und die Bedeutung von *berit*,” in *Erträge der Forschung am Alten Testament III: Gesammelte Studien*, TB 73 (Munich: Kaiser, 1984), 66–78, esp. 78 n. 2: “Wenn er sagt: ‘Die *berit* ist allein Isaak vorbehalten; ‘Gottes *berit* kommt nur Isaak zu’, so stimmt das nicht. Die Mehrungsverheissung, die Ismael erhält, wird auch *berit* genannt. Es zeigt sich, dass das Wort *berit*, wo es auf Isaak bezogen wird, eine neue Bedeutung bekommen hat: allein zu dieser *berit* gehört das neue Gottesverhältnis. P prägt in Gen 17 einen neuen Begriff der *berit* für das nur Israel eigene Gottesverhältnis.” Compare Ernst Kutsch, “‘Ich will euer Gott sein’: *berit* in der Priesterschrift,” *ZTK* 71 (1976): 367–88.

42. Westermann, *Genesis 12–36*, 255: “In V. 15–21 wird die Verheissung dahin präzisiert, dass die Mehrungsverheissung in allen Kindern Abrahams weitergeht, die Verheissung des Gottseins nur in Isaak.”

43. Thomas Naumann, “Ismael: Studien zu einem biblischen Konzept der Selbstwahrnehmung Israels im Kreis der Völker aus der Nachkommenschaft Abrahams” (Habilitationsschrift, University of Bern, 1996); Naumann, “Ismael—Abrahams verlorener Sohn,” in *Bekenntnis zu dem einen Gott? Christen und Muslime zwischen Mission und Dialog*, ed. Rudolf Weth (Neukirchen-Vluyn: Neukirchener Verlag, 2000), 70–89; Naumann, “Ismael unter dem Segen des Gottes Abrahams,” in *Religiöse Minderheiten: Potentiale für Konflikt und Frieden, IV. Internationales Rudolf-Otto-Symposium, Marburg 2002*, ed. Hans-Martin Barth and Christoph Elsas (Hamburg: EB, 2004), 179–92; Naumann, “Ismael-Abrahams Sohn und arabischer Erzvater: Biblische Wege

The manner in which Ishmael is mentioned in Gen 17 does not support the traditional conclusion that Ishmael has been completely left out of the covenant with God.... In vv. 19–21 Ishmael and Isaac have been theologically ordered *next to* rather than opposed to one another. However, neither a perspective of equality nor one of exclusion and rejection of one [brother] in favor of the other wins out. Greater weight is placed on Isaac.... In vv. 19–21 both brothers are bound by a theological importance that can only be understood in terms of an inclusive model containing the two unequal brothers, favoring the younger without either casting off the older or removing him from the care of God.⁴⁴

De Pury argues more forcefully:

The whole structure of this chapter [Gen 17] would be incomprehensible if the covenant and its benefits were limited only to Isaac. Why would there be such an elaborate “first act” in the account of the covenant—with

zum Verständnis des Islam,” in *Abrahamische Ökumene: Chancen und Risiken; Eine Dokumentation zur Auftaktveranstaltung der Gesellschaft Freunde Abrahams e.V. am 24. April 2002*, ed. Manfred Görg and Stefan J. Wimmer, *Blätter Abrahams* 1 (Munich: Freunde Abrahams, 2003), 58–79; de Pury, “Abraham”; de Pury, “Der priesterschriftliche Umgang”; cf. de Pury, “L’émergence de la conscience ‘interreligieuse’ dans l’Ancien Testament,” *Theological Review: Near East School of Theology* 22 (2001): 7–34; Ernst Axel Knauf, *Ismael: Untersuchungen zur Geschichte Palästinas und Nordarabiens im 1. Jahrtausend v. Chr.*, ADPV (Wiesbaden: Harassowitz, 1985); Knauf, “Die Priesterschrift und die Geschichten der Deuteronomisten,” 101–18; Knauf, “Grenzen der Toleranz in der Priesterschaft,” *BK* 58 (2003): 224–27; Mark G. Brett, “Reading the Bible in the Context of Methodological Pluralism: The Undermining of Ethnic Exclusivism in Genesis,” in *Rethinking Contexts, Rereading Texts: Contributions from the Social Sciences to Biblical Interpretation*, ed. M. Daniel Carroll R., JSOTSup 299 (Sheffield: Sheffield Academic, 2000), 48–74, esp. 72–73; Guillaume, *Land*, 72. For a thematically similar treatment of texts whose relationship to P is debated, see Ziemer, *Abram*, 309–14.

44. Naumann, “Ismael: Studien,” 151–52: “Es hat sich ergeben, dass die Art und Weise, wie Ismael in Gen 17 Erwähnung findet, nicht geeignet ist, das herkömmliche Urteil zu stützen, Ismael werde aus dem Gottesbund dezidiert ausgeschlossen.... Ismael und Isaak werden in V.19–21 theologisch einander zugeordnet, *neben*-,[,] nicht gegeneinander gestellt. Es regiert aber weder Gleichheit noch Ausgrenzung und Verwerfung des einen zugunsten des anderen. Auf Isaak ruht das grössere Gewicht.... In V. 19–21 werden mit beiden Brüdern theologische Bewertungen verbunden, die sich nur in einem inklusiven Modell der Zuordnung zweier ungleicher Brüder verstehen lassen, das den jüngeren bevorzugt, ohne den älteren zu verwerfen oder aus der bleibenden Fürsorge Gottes zu entlassen” (emphasis original).

a threefold insistence on the “multi-nation”-posterity of Abraham (Gen 17:4–6)—if that posterity was then to be excluded from the covenant?⁴⁵

Some recent interpreters also seek to solve the problem through composition-critical analysis, arguing that the explicit institution of the covenant with Isaac in Gen 17:19–21 and the circumcision scene with Ishmael in 17:23–27 emerge from different layers: “The two Ishmael sections in Genesis 17 present two different attitudes towards him: one exclusive, the other inclusive.”⁴⁶

A look into the recent history of scholarship therefore shows that the question of who belongs to the Abrahamic covenant has become rather contentious. Mainstream German-speaking scholarship still opts for the idea that Ishmael is left out of the covenant, but a few recent voices argue for his inclusion with the then-unborn Isaac. The first conjecture that can be drawn from this diverse dialogue is that the text seems to include a certain amount of ambiguity. Is it possible to understand the chapter’s meaning better and with more clarity?

24.4.

To answer this question, it might be helpful to read Gen 17 as a narrative, paying special attention to its various and different covenantal statements. First, it is clear that the covenant of 17:2, 4 is concluded only with Abraham the individual and can pertain to him alone because only he will become “a father of many nations”: “I will make a covenant between me and you, and I will make you exceedingly numerous.... Look, this is my covenant with you, that you will become a father of many nations.”⁴⁷ Neither Ishmael nor Isaac are included in this covenant of Gen 17:2, 4, which instead applies to Abraham alone.

45. De Pury, “Abraham,” 170.

46. Syrén, *Forsaken First-Born*, 40–41.

47. The statement in 17:6b, that kings will come from Abraham, is difficult to interpret. It is usually understood as having already been historicized by the time period of the author of P; however, for a different view see, e.g., Blum, *Die Komposition der Vätergeschichte*, 458; Walter Gross, “Israels Hoffnung auf die Erneuerung des Staates,” in *Studien zur Priesterschrift und zu alttestamentlichen Gottesbildern*, SBAB 30 (Stuttgart: Katholisches Bibelwerk, 1999), 65–96, esp. 66–75.

The situation is different in the subsequent appearances of the covenant in Gen 17:7–8, since this covenant makes explicit mention of “you and your offspring”:

I am establishing my covenant between me and you and your offspring from generation to generation as an eternal covenant, to be God for you and your offspring. And I am giving you and your offspring the land in which you sojourn as an alien, the whole land of Canaan, for an eternal holding, and I will be their God.

The covenant negotiated here (whether it is a second covenant or a further specification of the covenant from 17:2, 4, is debatable, but the first option is less probable, since “the content of ברית becomes progressively more” precise⁴⁸) applies both to Abraham and also to Ishmael as his first and, to this point, his only descendant. According to P, there is no question that Ishmael qualifies as a legitimate son of Abraham (Gen 16:1a, 3).⁴⁹ However, the formulation in Gen 17:7–8 is undoubtedly just as clear that the future descendants of Abraham—including Isaac, who first appears in the light of day four chapters later—are also included in this covenant.⁵⁰

The substance of this second (aspect of the) covenant is now, in addition to numerous offspring (17:2, 4), the nearness of God to Abraham and his descendants.⁵¹ Furthermore, this covenant also includes the prom-

48. Blum, *Die Komposition der Vätergeschichte*, 421. See further the discussion in Blum, *Die Komposition der Vätergeschichte*, 422 n. 13. In any case, the mention of הקים ברית in 17:7 does not stand in the way of the interpretation of Gen 17:1–8 as one covenant, see W. Randall Garr, “The Grammar and Interpretation of Exodus 6:3,” *JBL* 111 (1992): 385–408, esp. 403: “The idiom *hēqīm bērit* means not only ‘make (establish) a promise (covenant)’ but also ‘keep (fulfill) a promise (covenant).’”

49. See Westermann, *Genesis 12–36*, 285–86; Irmtraud Fischer, *Die Erzeltern Israels: Feministisch-theologische Studien zu Gen 12–36*, BZAW 222 (Berlin: de Gruyter, 2004), 97–101.

50. The assumption that the formulation זרעך אחריו could apply exclusively to the yet unborn generation—which would imply the exclusion of Ishmael—does not hold true: cf. the evidence outside of Gen 17 in Gen 9:9; 35:12; 48:4; Exod 28:43; Num 25:13 from P^g and P^s, also Deut 1:8; 4:37; 10:15; 1 Sam 24:22; 2 Sam 7:12 // 1 Chr 17:11.

51. This promise cites only the first half of the so-called covenant formula—the second half, in which Abraham’s descendants will be the people of God, is programmatically left out of the Priestly document—thereby stressing the theological character of the covenant as an essentially one-sided commitment.

ise of land holdings (אחוזה) in 17:8,⁵² which is enclosed by the repeated affirmation “I will be their God” in 17:7, 9. Is the traditional view justified, that according to P the land of Canaan can only belong to Israel, and therefore the covenant of Gen 17:7–8—although it goes against the explicit formulation—can pertain only to Isaac’s lineage?⁵³ It is crucial to see that such an argument overlooks the fact that P speaks specifically of the whole land of Canaan only in 17:8.⁵⁴ “With this term he [P] envisages a region encompassing not only today’s geographical Palestine but nearly the whole of the Levant.”⁵⁵

The Priestly document never gives exact boundaries for the land of Canaan, but it differs from the region of the upper Euphrates (Gen 12:5) as well as from “Paddan-Aram,” which likely refers to northern Syria (Gen 25:20; 31:18).⁵⁶ Egypt (Gen 46:6–7), the Jordan Valley, and the land east of the Jordan (Gen 13:12) are certainly excluded. With regard to locations in Canaan, P only mentions Mamre and Qiryat Arba/Hebron (Gen 25:9; 35:27; cf. Gen 23:1, 17, 19).⁵⁷

The circumcision command of the next section, 17:9–14, seems somewhat confusing when juxtaposed to the covenant terminology in Gen 17 because circumcision would seem to signify a covenant in and of itself.⁵⁸ However, it “is only metonymically called b-rit in so far as it is, as a matter of fact, a sign of the b-rit.”⁵⁹ As the overview of the history of scholarship above has made clear, it is conspicuous that circumcision in 17:23–27 is

52. Cf. Michaela Bauks, “Die Begriffe מורשה und אחוזה in P⁸.”

53. See, e.g., Steuernagel, “Bemerkungen,” 173. See nn. 26–27 and 39, above.

54. Otherwise in the Hebrew Bible only Josh 24:3, which looks back to Gen 17:8. The LXX might possibly preserve an older tradition in its reading of Josh 24:3 (ἐν πάσῃ τῇ γῇ).

55. De Pury, “Abraham,” 171.

56. See Manfred Görg, “Paddan-Aram,” *NBL* 11:56; Westermann, *Genesis* 12–36, 503.

57. For the exclusion of Gen 23 from P see Blum, *Die Komposition der Vätergeschichte*, 441–44; Kratz, *Die Komposition*, 241.

58. On circumcision, see Grünwaldt, *Exil*; John Goldingay, “The Significance of Circumcision,” *JSOT* 88 (2000): 3–18. Kratz (*Die Komposition*, 240) sympathizes with the suggestion that 17:9–14, 23–27 are a later insertion.

59. Walter Gross, “Bundeszeichen und Bundesschluss in der Priesterschrift,” *TTZ* 87 (1987): 113 [“nur metonymisch b-rit, insofern sie in Wirklichkeit Zeichen der b-rit ist”]. The result of circumcision, rather than the act of circumcision is the sign of the covenant, cf. Köckert, *Vätergott und Väterverheissungen*, 167 and nn. 29–30.

also carried out on Ishmael and the slaves of the house. They also carry the sign of the covenant. However, the specific formulation of the instruction in 17:12–13 needs to be taken into account: “Ishmael must be circumcised because he belongs to Abraham’s *house* (vv. 12–13); Ishmael’s circumcision remains a sign only for Abraham’s covenantal status.”⁶⁰ Whether or not Ishmael belongs to the Abrahamic covenant therefore cannot be affirmed or rejected solely on the basis of 17:23–27.

The section in 17:15–22, where the relationship between Ishmael and Isaac is addressed, is much more decisive for this question. In response to the promise received by Sarah in 17:15–17, Abraham petitions in 17:18b, “If only Ishmael might live before you!” (לו ישמעאל יהיה לפניך). Genesis 17:18b is often understood to mean: “If only Ishmael may be allowed to remain alive!”⁶¹ However, the phrase חיה לפני יהוה implies much more than simply physical survival; it rather has clear cultic connotations, which the following selection of Priestly citations for לפני יהוה demonstrate.⁶²

Exod 27:21: In the tent of meeting, outside the curtain that is before the covenant, Aaron and his sons shall keep it burning from evening till morning *before YHWH* [לפני יהוה] as a perpetual ordinance among the Israelites throughout their generations.

Exod 28:35: And Aaron shall wear it when he ministers, and its sound shall be heard when he enters the holy place *before YHWH* [לפני יהוה] and when he leaves so that he will not die.

Exod 29:42: It shall be a regular burnt offering throughout their generations at the entrance of the tent of meeting *before YHWH* [לפני יהוה], where I will meet with you in order to speak with you.

60. Blum, *Die Komposition der Vätergeschichte*, 422: “Nach diesem muss nämlich Ismael als einer, der zu Abrahams *Haus* gehört (V.12f), beschnitten werden; auch Ismaels Beschneidung hat allein für Abraham eine Bedeutung als Bundeszeichen” (emphasis original). A similar position was reached earlier by Benno Jacob, *Das erste Buch der Tora* (New York: Schocken, 1934), 430–31.

61. E.g., Ephraim Avigdor Speiser, *Genesis*, AB 1 (Garden City, NY: Doubleday, 1964), 125: “*thrive*. Literally ‘live,’ with the force of ‘stay well, prosper’”; Westermann, *Genesis 12–36*, 323: “Abraham’s wish for Ishmael is an expression of a pious decision for the son of the concubine that was given him” (“Die Wunschbitte Abrahams für Ismael ist Ausdruck frommer Bescheidung mit dem einen Sohn der Nebenfrau, der ihm geschenkt ist”); Wenham, *Genesis 16–50*, 27.

62. For לפני יהוה in P: Exod 6:12, 30; 27:21; 28:12, 30, 35, 38; 29:42; 30:16; 40:23, 25, within Gen 17 see also v. 1.

Exod 40:22–25: Then he put the table in the tent of meeting, on the north side of the tabernacle, outside the curtain, and he set a row of bread *before YHWH* [לפני יהוה], just as YHWH had commanded Moses. And he put the lampstand in the tent of meeting, across from the table, on the south side of the tabernacle, and he set up the lamps *before YHWH* [לפני יהוה], just as YHWH had commanded him.

“Before YHWH” implies cultic presence before YHWH in the context of the sanctuary (or, rarely, in direct conversation with YHWH, as in the case of Moses in Exod 6:12, 30). Correspondingly, de Pury seems correct when he writes:

Whether the priestly writer’s Abraham is aware of it or not, what he asks is that Ishmael become YHWH’s priest; and it is that request that is denied to Ishmael and offered instead to the yet to be born Isaac. In this whole exchange (vv. 18–21), the question therefore is not whether Ishmael will be allowed to live in the land of Canaan—the right of Ishmael to live in Canaan has been settled once and for all in v. 8—but the question is only whether there is a need for a further son, i.e., for a further category among Abraham’s multi-nation descendants. And the answer to that question is yes. Sarah’s son Isaac will beget those descendants of Abraham who are destined to become YHWH’s priestly nation.⁶³

If the specific emphases of 17:18 are recognized, then some new light is shed on the subsequent passage in 17:19–21:

ויאמר אלהים אבל שרה אשתך ילדת לך בן וקראת את שמו יצחק והקמתי את
בריתי אתו לברית עולם לזרעו אחריו
ולישמעאל שמעתיד הנה ברכתי אתו והפרייתי אתו והרביתי אתו במאד מאד שנים
עשר נשיאם יוליד ונתתיו לגוי גדול
ואת בריתי אקים את יצחק אשר תלד לך שרה למועד הזה בשנה האחרת
Then God said: “No/rather your wife Sarah will bear you a son, and you
shall name him Isaac, and I will establish my covenant with him as an
eternal covenant for his descendants after him. As for Ishmael, I have

63. De Pury, “Abraham,” 172. Cf. Also de Pury, “P⁸ as the Absolute Beginning,” 109: “The content of the second b^crit (or part of b^crit), apparently, is to ‘live before the face of Yhwh,’ since that is the request denied to Ishmael (17:18–19). ‘Living before the face of Yhwh,’ which is not equivalent to ‘living in the land of Canaan,’ obviously refers to the cultic access to the *משכן* that the sons of Israel will (later) be invited to build (Ex 25,1.8a.9; 29,45–46; 40,16.17a.33b.34b).”

heard you: Look, I will bless him and make him fruitful and make him numerous beyond numbering; twelve princes will descend from him, and I will make him into a great nation. And I will establish my covenant with Isaac, whom Sarah will bear to you at this time next year.”

However, three translation difficulties remain. First, how should one translate the particle אַבֵּל in 17:19? Is God denying Abraham’s plea? The ancient versions as well as modern translations disagree. The Vulgate and KJV leave אַבֵּל untranslated, while the RSV and NRSV translate with “No.” Until 1912 the Luther Bible had “ja” but since 1984 “nein.” The Zürcher Bible changed its variant “vielmehr” from 1931 in the new translation of 2007 to “nein.” The Septuagint offers Ναί, ἰδοὺ.⁶⁴

The uncertainty results, on the one hand, from the unclear relationship between Abraham’s question in 17:18 and God’s answer in 17:19 and, on the other hand, from the philologically broad field of meaning for the term אַבֵּל, which only appears eleven times in the Hebrew Bible. Its usage includes expressions of regret and complaint (2 Sam 14:5; 2 Kgs 4:14; Gen 42:21), an expression of regret along with a negative answer (1 Kgs 1:43), in addition to the well-attested pure adversative usage (Ezra 10:13; 2 Chr 1:4, 19:3, 33:17; Dan 10:7, 21).⁶⁵ When the cultic background of the expression יהוה לפני יהוה in 17:18 is recognized and the literary historical setting of P taken into consideration, then a translation as “no” is more convincing than a positive (“yes”) or neutral (“rather”) rendering.

A second question is whether ברית הקים must necessarily mean “establish a covenant” or if it may also mean the reaffirmation of an already existing covenant. Especially relevant here is Exod 6:4, itself a Priestly text, which shows that the latter is clearly possible as well.⁶⁶ Several Greek manuscripts of 17:19 include a small addition and clarify that God will fulfill his covenant with Abraham as an everlasting covenant “to be his God.”⁶⁷

The final difficulty with regard to translation is ואת בריתי אקים את (17:21), which conspicuously fronts the object בריתי. Is it better to follow the usual adversative rendering “my covenant, however...” or

64. See the report on the history in Naumann, “Ismael: Studien,” 138 n. 34.

65. Cf. Norbert Kilwing, “אַבֵּל ‘ja, gewiss’ – ‘nein, vielmehr’?,” *BN* 11 (1980): 23–28.

66. See n. 52, above.

67. See n. 13, above. The variants are listed in John W. Wevers, ed., *Genesis*, SVTG 1 (Göttingen: Vandenhoeck & Ruprecht, 1974), 181.

instead translate with “and my covenant...”? From a syntactical standpoint there is a strong inclusive connection with 17:19. Correspondingly, the above translation has opted for the neutral translation “and my covenant.”

Usually this section is interpreted, as has been shown above, as meaning that the Abrahamic covenant is realized only through the lineage of Isaac: the covenant terminology appears only in connection with Isaac in 17:19, 21. Ishmael, on the other hand, receives only a blessing of fruitfulness.

Indeed, the double use of the term *covenant*, which is only applied to Isaac in 17:19, 21, is conspicuous. However, this traditionally dominant interpretation encounters numerous problems, the gravest being that it cannot explain why P proceeds in Gen 17:7–8 explicitly to include all the descendants of Abraham in the covenant, only to narrow the covenant back down to the lineage of Isaac.⁶⁸ This problem becomes more pressing if 17:9–14 are considered secondary,⁶⁹ because the two positions then stand directly juxtaposed.

Can the problem be solved through literary-critical measures? Genesis 17 probably does indeed incorporate both inherited material and some additions.⁷⁰ Nevertheless, it is unnecessary to deny that the prominent covenant-breaking command of Gen 17:14 belongs to the original Priestly

68. See n. 49, above.

69. For the ensuing difficulties, see Detlef Jericke, *Abraham in Mamre: Historische und exegetische Studien zur Religion von Hebron und zu Genesis 11,27–19,38*, CHANE 17 (Leiden: Brill, 2003), 217–18.

70. See, e.g., Matthias Köckert, “Leben in Gottes Gegenwart: Zum Verständnis des Gesetzes in der priesterschriftlichen Literatur,” *JBTh* 4 (1989): 29–61; repr., *Leben in Gottes Gegenwart: Studien zum Verständnis des Gesetzes im Alten Testament*, FAT 43 (Tübingen: Mohr Siebeck, 2004), 73–107. Köckert identifies the circumcision command in 17:10, 11a as a pre-Priestly tradition, upon which the conditions in 17:12–13 build in subsequent layers. These are then updated by the cultic legal conditions of 17:14. Extensive textual additions are proposed by Peter Weimar, “Gen 17 und die priesterschriftliche Abrahamserzählung,” *ZAW* 100 (1988): 22–60. He sees a pre-Priestly Urtext in 17:1–4a, 6, 22, into which the Priestly source writes 17:4b, 5, 7, 8*, 9*, 10*, 11, 15, 16*, 17a, 18, 19a, 20*, 24–26. The remaining portions of the text come from two post-Priestly redactions, the second of which is identical to the pentateuchal redaction. The beginning point of whether Ishmael is included or excluded from the Abrahamic covenant is seen by Weimar as no real problem at all (37 n. 77). However, he only discusses the narrative theme of the circumcision of Ishmael in terms of Ishmael’s belonging to Abraham’s house (with a reference to Blum, *Die Komposition der Vätergeschichte*, 422).

layer, as Knauf and de Pury suggest, on account of the unconditional theology of the Priestly document.⁷¹ Because the circumcision command deals only with the disobedience of individuals who abandon the divine covenant, the covenant of God with Israel still remains unbreakable.⁷²

Another composition-critical option for solving the tension between the covenant with the entire offspring of Abraham and only with Isaac's lineage would be to consider the whole section of Gen 17:15–21 as secondary, narrowing the Abrahamic covenant to include only the descendants of Sarah.⁷³ However, such a sectioning off of 17:15–21 would not completely solve the problem. One must still assume that the redactor had misunderstood or forgotten that the line of Sarah not only included Isaac and Jacob, but also Esau. In other words, the Edomites would still be included in the covenant. This kind of Israelite-Edomite circle—to the exclusion of Ishmael's offspring—is not conceptually recognizable elsewhere in the Priestly document. Its intermarrying policy instead clearly allows for intermarrying within the entire offspring of Abraham.⁷⁴ Therefore a composition-critical exclusion of 17:15–21 seems improbable.

Furthermore, the considerable agreement between the formulations of the various promises of fertility for Abraham in Gen 17:2, 6 on the one hand and for Ishmael in Gen 17:20 on the other is noteworthy:⁷⁵

17:2	Abraham	במאד מאד	אותך	וארבה	
17:6	Abraham	במאד מאד	אותך		והפרתי
17:20	Ishmael		אותך		והפרתי
17:20	Ishmael	במאד מאד	אותך	והרביתי	

The promised fertility given to Abraham as a “covenant” and to Ishmael as a “blessing,” when considering their concrete arrangement, are drawn up quite similarly and seem nearly equivalent.

71. De Pury, “P⁸ as the Absolute Beginning,” 109, who follows Knauf (see the reference in de Pury “Abraham,” 168 n. 22).

72. See Hermann-Josef Stipp, “‘Meinen Bund hat er gebrochen’ (Gen 17,14): Die Individualisierung des Bundesbruchs in der Priesterschrift,” *MTZ* 56 (2005): 290–304.

73. See nn. 39 and 51, above.

74. See n. 16, above.

75. Wilfried Warning, “Terminological Patterns and Genesis 17,” *HUCA* 70–71 (1999–2000): 93–107, esp. 100; Guillaume, *Land*, 72.

Therefore, it is much more likely that the function of 17:19–21 does not lie in the exclusion of Ishmael but rather in the inclusion of Isaac in the Abrahamic covenant. Ishmael's inclusion in the covenant is clearly stated in Gen 17:7–8. Additionally, this section highlights the fact that the covenant with Abraham and his descendants, to which Ishmael undoubtedly belongs, is an “eternal covenant.”

The need for an explicit inclusion of Isaac in 17:19, 21 can be explained by its position in the narrative, namely, that at the time of Gen 17, Isaac has not yet been born. This makes the double appearance of covenant terminology in 17:19, 21 with reference to Isaac plausible: an extension of the covenant to a person who did not yet exist is a bold enterprise and therefore needs special terminological emphasis.

Nevertheless, the conclusion remains that Ishmael is not the same type of partner in the covenant of God as Isaac is. They are equal with regard to fertility and land holdings (in the sense of an אֶחָיוּה, Israel will then signify its land in Exod 6:8 as מִוְרֶשָׁה) within the greater region of the “whole land of Canaan.”⁷⁶ But they are not equal with regard to the possibility of cultic proximity (“living before God,” Gen 17:18b). This proximity, as the narrative of the Priestly document goes on to show, belongs only to Israel by means of the foundation of the sanctuary and is explicitly denied to Ishmael.⁷⁷

The Priestly account of the Abrahamic covenant with its various levels within the covenant seems foremost to be a theological work without analogues among the ancient Near Eastern treaties. There are

76. For the Priestly status of Exod 6:8, see the discussion in Schmid, *Genesis and the Moses Story*, 241 n. 479; Gertz, *Tradition und Redaktion*, 245–48. The terminology מִוְרֶשָׁה could have been specifically influenced by Ezekiel, since Ezekiel's influence is especially noticeable in Exod 6:2–8 (see Bernard Gosse, “Exode 6,8 comme réponse à Ézéchiél 33,24,” *RHPR* 74 [1994]: 241–47).

77. Cf. Knauf, “Grenzen,” 224–27; 224: “The Priestly document (P) advocates the Persian imperial ideology with a clarity found otherwise only in the ancient Persian royal inscriptions. Every people has its place in the world (Gen 10) in which they fulfill the creational order and creational blessing. To Israel alone, as YHWH's priestly people in his land, which basically surrounds the dwelling of the creator God on earth as a holy area (tenemos), belongs the salvific order rather than the creational one” (“Die Priesterschrift [P] in der Tora vertritt die persische Staatsideologie mit einer Deutlichkeit wie sonst nur noch die altpersischen Königsinschriften. Jedes Volk hat seinen Platz in der Welt [Gen 10], darin erfüllen sich Schöpfungsordnung und Schöpfungsseggen. Nur Israel gehört als JHWH's priesterliches Volk in seinem Land, das im Grunde als heiliger Bezirk [Temenos] die Wohnung des Schöpfergottes auf Erden umgibt, nicht der Schöpfungs-, sondern der Heilsordnung an”).

no multilevel treaties attested in the ancient Near East. Furthermore, the one-sidedness of God's commitment strikingly displays P's ability to completely transform its conceptual models, which are likely only to be found within the biblical material itself, specifically the Deuteronomic covenant texts.⁷⁸

In Gen 17 the Priestly document apparently attempts to balance the theological prerogative of Israel with the political reality of Persian-period Judah: Judah lives in a modest province within ecumenical proximity to its neighbors. Perhaps the specific outline of Gen 17, the creation of an "Abrahamic ecumenicity," as de Pury has put it, relates to the fact that Abraham's tomb of Hebron, which was in all likelihood venerated by Judeans, Arabs, and Edomites, was probably not part of Achaemenid Judah but of Idumea, as Knauf and Detlef Jericke have convincingly argued.⁷⁹ This means that P had to include Judeans, Arabs, and Edomites in a privileged position and, therefore, developed the notion of an Abrahamic covenant of the peoples living in the "whole land of Canaan."

24.5.

In conclusion, God's covenant with Abraham in Gen 17 is a covenant with all his descendants, including Ishmael and the yet-unborn Isaac, although Isaac has a somewhat privileged position in that covenant compared to Ishmael. Isaac may live "before YHWH," a cultic nearness explicitly denied to Ishmael. Nevertheless, it is most remarkable that there is a specific Abrahamic circle in P's political and religious worldview that is narrower than the world circle, but wider than the Israel circle. P seems to argue for an Abrahamic ecumenicity among Judeans, Israelites, Edomites, and Arabs within the Persian Empire. All these peoples share the promise of progeny and land, meaning that the exclusive Judean privilege is not political but cultic: only they may "live before YHWH."

78. For P as an opposing position to the Deuteronomic literature see Odil H. Steck, *Der Abschluss der Prophetie: Ein Versuch zur Frage der Vorgeschichte des Kanons*, BThSt 17 (Neukirchen-Vluyn: Neukirchener Verlag, 1991), 17–18 n. 19; Schmid, *Genesis and the Moses Story*, 238 n. 458 (bibliography); Knauf, "Die Priesterschrift und die Geschichten der Deuteronomisten."

79. Knauf, "Grenzen," 226; Jericke, *Mamre*, 18–19, 32–33, 81–96; Albert de Pury, "Le tombeau des Abrahamides d'Hébron et sa fonction au début de l'époque perse," *Transeu* 30 (2005): 183–84; for Ishmael, see Knauf, *Ismael*.

Sinai in the Priestly Document

Recent pentateuchal scholarship has had to distance itself from numerous positions that earlier scholarship viewed as certainties, but at least in German-speaking exegesis, though also in part outside of it, scholars assume that the comparatively certain starting point for further literary-historical classifications is the distinction between Priestly and non-Priestly texts in the Pentateuch.¹ For example, Erhard Blum suggested already in 1990 that the Priestly texts should be considered as a starting point for reconstructing the composition of the Pentateuch.² In fact, in spite of all the uncertainties that nevertheless concern the Priestly document, this judgment remains meaningful and well founded.³

When turning to the sphere of the so-called first Sinai pericope in Exod 19–24,⁴ little disagreement appears concerning the boundaries of the Priestly texts, even though the exact proposals for assignments vary.⁵ The classic majority opinion, which also includes Eckart Otto,

1. For many others see, e.g., Jan C. Gertz, ed., *Grundinformation Altes Testament: Eine Einführung in Literatur, Religion und Geschichte des Alten Testaments*, 2nd ed., UTB 2745 (Göttingen: Vandenhoeck & Ruprecht, 2007), 205.

2. Erhard Blum, *Studien zur Komposition des Pentateuch*, BZAW 189 (Berlin: de Gruyter, 1990), 221.

3. For the uncertainties, see Eckart Otto, "Forschungen zur Priesterschrift," *TRu* 62 (1997): 1–50.

4. On the history of scholarship of the Sinai pericope with a special focus on Exod 32–34, see Konrad Schmid, "Israel am Sinai: Etappen der Forschungsgeschichte zu Ex 32–34 in seinen Kontexten," in *Gottes Volk am Sinai: Untersuchungen zu Ex 32–34 und Dtn 9–10*, ed. Erhard Blum and Matthias Köckert, VWGTh 18 (Gütersloh: Gütersloher Verlaghaus, 2001), 9–40.

5. See the discussion in Thomas Pola, *Die ursprüngliche Priestergrundschrift: Beobachtungen zur Literarkritik und Traditionsgeschichte von Pg*, WMANT 70 (Neukirchen-Vluyn: Neukirchener Verlag, 1995), 217.

accords Exod 24:15b–18a(α) to the Priestly document that follows Exod 19:1, 2a and to which the instructions for the construction of the sanctuary in Exod 25–29 connect.⁶ Christoph Levin limits the portions of the Priestly document to 24:16–18a, while Blum's KP consists of 24:15a–18a.⁷ Peter Weimar excludes 24:17 for composition-critical reasons as interrupting the connection between 24:16 and 18 and standing in tension with the surrounding texts, thus counting only 24:15b, 16, 18a as part of the Priestly document.⁸ Christian Frevel even voices indecision with regard to this question of the allocation of 24:17 to the basic layer of the Priestly document.⁹ This question will reappear below. Earlier scholarship sometimes still accorded the Exodus Decalogue to the Priestly document (naturally on the basis of the reason given in the Sabbath commandment of creation according to Gen 1).¹⁰ However, this was primarily due to the predominance of source-critical concerns and

6. Lothar Peritt, *Bundestheologie im Alten Testament*, WMANT 36 (Neukirchen-Vluyn: Neukirchener Verlag, 1969), 157; Martin Noth, *Das zweite Buch Mose: Exodus, übersetzt und erklärt*, ATD 5 (Göttingen: Vandenhoeck & Ruprecht, 1959), 163; Bernd Janowski, *Sühne als Heilsgeschehen: Traditions- und religionsgeschichtliche Studien zur priesterschriftlichen Sühnetheologie*, 2nd ed., WMANT 55 (Neukirchen-Vluyn: Neukirchener Verlag, 2000), 303; Eckart Otto, "Die nachpriesterschriftliche Pentateuchredaktion im Buch Exodus," in *Studies in the Book of Exodus: Redaction-Reception-Interpretation*, ed. Marc Vervenne, BETL 126 (Leuven: Leuven University Press, 1996), 61–111, esp. 80; Otto, "Forschungen zur Priesterschrift," 27 and n. 91; on the Priestly documents as whole, see Otto, *Das Gesetz des Mose* (Darmstadt: Wissenschaftliche Buchgesellschaft, 2007), 179–93. Paul Maiburger and Christoph Dohmen, "יְהוָה," *TDOT* 10:231, limit the P points to 24:14–18aa.

7. Christoph Levin, *Der Jahwist*, FRLANT 157 (Göttingen: Vandenhoeck & Ruprecht, 1993), 365. He accords 24:15 to his "Endredaktion," suggesting that the verse was created from 24:13b and 16aa. See Blum, *Komposition des Pentateuch*, 89 n. 194.

8. Peter Weimar, *Studien zur Priesterschrift*, FAT 56 (Tübingen: Mohr Siebeck, 2008), 292–93; see also Pola, *Die ursprüngliche Priesterschrift*, 349.

9. Christian Frevel, *Mit Blick auf das Land die Schöpfung erinnern: Zum Ende der Priestergrundschrift*, HBS 23 (Freiburg im Breisgau: Herder, 2000), 140–41 n. 8.

10. Georg Beer, *Exodus*, HAT 1.3 (Tübingen: Mohr, 1939), 10–12, though (99) he accords the final form and placement to P¹; also Gustav Hölscher, *Geschichtsschreibung in Israel: Untersuchungen zum Jahwisten und Elohisten* (Lund: Gleerup, 1952), 312; and Sigmund Mowinckel, *Erwägungen zur Pentateuch-Quellenfrage* (Trondheim: Universitetsforlaget, 1964), 32–33, 74–78; see the synopsis of the history of scholarship in Erich Zenger, *Die Sinaitheophanie: Untersuchungen zum jahwistischen und elohistischen Geschichtswerk*, FB 3 (Würzburg: Echter 1971), 206–31.

a missing redaction-critical awareness. Scholarship today correctly no longer discusses this as an option.

Although widespread unanimity prevails about the Priestly portions of Exod 19–24, Wolfgang Oswald's work *Israel am Gottesberg* makes several observations that awaken doubts on whether Exod 24:15b–18a belongs to the Priestly document, to which the following reflections connect.¹¹ These do not concern a trivial matter, but in play is whether or not this section belongs to the Priestly document and, therefore, whether the priestly promulgation of law takes place on Mount Sinai or not. These verses form the introduction to the scenery, which allows for the subsequent Priestly material in Exod 25–28 to take place on Mount Sinai.

There is no question that Exod 24:15b–18a displays similarities to the Priestly document, as merely the twofold mention of כבוד יהוה in 24:16 and 17 show. However, a number of peculiarities appear that indicate that this section could have been added in a second act to the basic Priestly layer (P⁸). These peculiarities come to light when one views Exod 24:15b–18a in its putative Priestly context.

Exod 19:1–2: On the third New Moon after the exodus of the Israelites from the land of Egypt, On this day they came to the desert of Sinai. And they set out from Rephidim and came into the desert of Sinai, and they camped in the desert.

Exod 24:15b–18a: And the cloud [הענן] covered [ויכס] the mountain [ההר]. And glory of YHWH [כבוד יהוה] dwelt [וישב] on Mount Sinai, and the cloud covered it for six days. And on the seventh day, he called to Moses from the midst of the cloud. The appearance of the glory of YHWH [מראה כבוד יהוה] was like a consuming fire [אש אכלת] on the summit of the mountain [בראש ההר] to the eyes of the Israelites [לבני ישראל]. Then Moses went into the cloud and went up the mountain.

Various things come to light by defining the context in this way. First, the determination of “the cloud” (הענן) in “the mountain (ההר) in 24:15b appears noteworthy as designations for the entities that have not previously been introduced—at least not within the inventory of texts usually attributed to the Priestly document. In this case it concerns a so-called cataphoric determina-

11. Wolfgang Oswald, *Israel am Gottesberg: Eine Untersuchung zur Literaturgeschichte der vorderen Sinaiperikope Ex 19–24 und deren historischem Hintergrund*, OBO 159 (Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 1998).

tion,¹² which already introduces something central later on as determined at its first mention. This is hardly plausible, at least for “the mountain,” because it hardly plays a role later on in the basic Priestly document (P^s), which will be explained below.

Therefore, one should more likely reckon with the usual anaphoric orientation of the article, which most easily relates to the present context of the numerous non-Priestly references to the mountain in the preceding context of Exod 19:18–20.

But Mount Sinai was completely cloaked in smoke because YHWH descended upon it in the fire. And its smoke ascended like the smoke of a kiln, and the entire mountain trembled mightily. And the sound of the trumpet became increasingly louder. Moses spoke, and God answered him in the thunder. And YHWH descended upon Mount Sinai, on the summit of the mountain. And YHWH summoned Moses to the summit of the mountain, and Moses ascended.

Within the Priestly document itself, no mention of the mountain appears prior to Exod 24, certainly nothing about Mount Sinai.¹³ “The mountain” in Exod 24:15 therefore appears most easily to refer to the non-Priestly introduction in the previous chapter; attributing Exod 24:15 to the Priestly document thus represents a less reasonable conclusion.

A similar case appears with “the cloud.” While the reader of the Priestly document is familiar with the pillar of cloud from the narrative of the miracle at the sea in Exod 13–14, Exod 24:15b does not describe the cloud as a pillar, and it appears much easier to relate it to the non-Priestly mentions of the cloud in the non-Priestly sphere of Exod 19, especially 19:16.

12. For discussion see Erhard Blum, *Die Komposition der Vätergeschichte*, WMANT 57 (Neukirchen-Vluyn: Neukirchener Verlag, 1984), 13 n. 17; and GKC §126q.

13. An alternative explanation for the conspicuous determination of the mountain in 24:15 is offered by Blum, who attributes Exod 24:15–18 to Kp. However, he assesses Kp in such a manner that each of these texts presupposes the non-Priestly context. Nevertheless, the question remains as to why the localization of this text hardly plays a role otherwise in the Priestly texts. Why doesn't the setting of Exod 24:15b–18a endure?

But on the third day, when it was morning, thunder and lightning began, and a dark cloud lay upon the mountain, and it sounded like a mighty trumpet blast. And the entire people in the camp trembled.

However, these observations on the determination of two terms in Exod 24:15b do not represent a weighty or sufficient argument to question that Exod 24:15b–18a belongs to the basic Priestly layer (P^g).¹⁴ Nevertheless, they do provide an opening to question the nature in which Mount Sinai relates to the Priestly document.

In fact, it plays a surprisingly minimal role. If one maintains the usual boundaries for P^g, then it only appears three times outside of Exod 24:15b–18a. It always comes in the same context, concerning the תבנית, the “model,”¹⁵ that Moses was shown on the mountain. It is not completely clear what exactly this תבנית denotes. Some interpreters posit that Moses viewed the true heavenly temple, but it appears quite improbable, at least if one accords the conception of the תבנית to the basic Priestly layer.¹⁶ P^g neither shows familiarity with a heavenly sanctuary nor considers the mountain itself holy, as an entry to the heavens. It only becomes holy through the events that take place upon it in the moment of divine revelation.

Exod 25:8–9: And they should build a sanctuary, and I will dwell in their midst. You shall make the tabernacle exactly according to the model [תבנית] and its equipment according to the model [תבנות] that I show you.

Exod 25:37–40: Then make seven lamps for it, and place these lamps such that they illuminate the room. And [make] the snuffers and trays

14. From this perspective also see the observations on the contextual links of Exod 24:15–18 with the non-Priestly context in Ursula Struppe, *Die Herrlichkeit Jahwes in der Priesterschrift: Eine semantische Studie zu k'bôd YHWH*, ÖBS 9 (Klosterneuburg: Verlag Österreichisches Katholisches Bibelwerk, 1988), 25–26.

15. On this, see Silvia Schroer, *In Israel gab es Bilder: Nachrichten von darstellender Kunst im Alten Testament*, OBO 74 (Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 1987), 336–37; Joachim Bretschneider, *Architekturmodelle in Vorderasien und der östlichen Ägäis vom Neolithikum bis in das 1. Jahrtausend: Phänomene in der Kleinkunst an Beispielen aus Mesopotamien, dem Iran, Anatolien, Syrien, der Levante und dem ägäischen Raum unter besonderer Berücksichtigung der bau- und der religionsgeschichtlichen Aspekte*, AOAT 229 (Kevelaer: Butzon & Bercker; Neukirchen-Vluyn: Neukirchener Verlag, 1991).

16. See the discussion by Cornelis Houtman, *Exodus*, trans. Sierd Woudsra, 4 vols., HCOT (Leuven: Peeters, 1993–2002), 3:345–46.

belonging to it out of pure gold. All these instruments shall be made from one talent of pure gold. And be careful that you make them according to their model [תבנית], which I showed you on the mountain.

Exod 26:29–30: And overlay the boards with gold, and their rings make from gold as holders for the crossbars. Also the crossbars you shall overlay with gold. In this way the tabernacle will be constructed according to the model [תבנית] that was shown to you on the mountain.

Exod 27:6–8: Then make poles for the altar, poles of acacia wood, and overlay them with bronze. And one should put the poles through the rings so that the poles are on both sides of the altar when one carries it. You shall make it as a hollow box of boards. As it was shown to you on the mountain, thus you shall make it.

These remarks about the תבנית are always placed at the end of specific fabrication prompts, and they are easily detached, which on its own does not constitute a composition-critical argument. However, the fact that they are actually anchored quite poorly to the basic Priestly layer (P⁸) results from the fact that the תבנית does not appear at all in the description of the implementation in Exod 35–40. The implementation of the building instructions simply recurs to God's oral instructions ("these are the words that YHWH commanded"; "as YHWH has commanded Moses"; cf. Exod 35:1, 4, 10, 29; 36:1, 5; 38:22; 39:1, 5, 7, 21, 29, 31–32, 42–43; 40:16, 19, 21, 23, 25, 27, 29, 32). The model (תבנית) is never mentioned. One can naturally argue that the expression "as YHWH has commanded" could also include nonverbal instructions. Nevertheless, for an author such as P, who relates the precise correspondence of task and implementation, the omission of the תבנית in Exod 35–40 remains conspicuous.

One could also argue, with Otto, that Exod 35–40 is in any case secondary to Exod 25–29, but even then the lack of the narrative feature of the תבנית in the framework of the interpretive reception in Exod 35–40 of Exod 25–29 would require an explanation.¹⁷

Therefore, the תבנית notices in Exod 25–29 sit loosely in their contexts. In addition, they do not fit well with the theology of the Priestly document. In the Priestly document, God usually offers commands by means of speech, not through objects. The תבנית notices instead appear to attempt something like a Chronistic reinterpretation of the Priestly sanc-

17. Otto, "Forschungen zur Priesterschrift," 31–33.

tuary texts: God was just as precise with his instructions to Moses on the building of the sanctuary as David was with Solomon later on, for David shaped his instructions on the building of the temple for his son Solomon so precisely that he even made a model:

And David gave his son Solomon a model [תבנית] of the vestibule and the temple, the treasuries, its upper rooms, and its inner chambers, as well as the room for the cover plate; furthermore, a model [תבנית] of everything that he had in mind, of the courts of the temple and all the surrounding compartments, of the chambers with provisions for the house of God, and of the chambers of provisions for the dedication gifts. (1 Chr 28:11–12)

If the תבנית notices truly are secondary to the basic Priestly layer (P^g), then, outside of Exod 24:15–18, all mentions of “mountain” or “Mount Sinai” would fall outside the textual inventory usually attributed to the basic Priestly layer. In this case, Exod 24:15b–18a, if it concerns a Priestly text, would then constitute the sole text with this conception in the basic Priestly layer.

Therefore, following Oswald, it is worth examining whether Exod 24:15b–18a might perhaps constitute an addition.¹⁸ Exodus 24:15b–18a certainly shares specific conspicuous elements within the basic Priestly layer that in part contain clear parallels with post-Priestly texts.

The first statement in 24:15b (“and the cloud covered the mountain”) is unique within the Priestly document. In the basic Priestly layer or texts dependent upon it, “the cloud covered” the tent in Exod 40:34; Lev 16:13; Num 9:15; 17:7. The singular conception that the cloud covers the mountain is, however, not especially conspicuous because the tent does not yet exist within the narrative development of the Priestly document in Exod 24. Nevertheless, it remains important that the cloud in 24:15–16—conspicuously with the article—does not appear to continue the Priestly conception of the pillar of cloud from Exod 13–14. It instead takes up Exod 19:16 and 20:21, which declare that God appears in the cloud. The next verse, 24:16, first develops the likewise singular notion that “YHWH’s glory dwells on the mountain.” For this reason, the LXX corrects to: *καὶ κατέβη ἡ δόξα τοῦ θεοῦ ἐπὶ τὸ ὄρος τὸ Σινᾶ*. Probably on the basis of the same discomfort, many German Bible translations render שכן in this instance with “sich niederlassen” (“settle”).¹⁹

18. Oswald, *Israel*, 203–15.

19. Cf. *Die Bibel nach der Übersetzung Martin Luthers* (Stuttgart: Deutsche Bibelgesellschaft, 1984); *Elberfelder Bibel, revidierte Fassung* (Wuppertal: Brockhaus, 1985;

If one surveys and sorts the evidence for שכן in the Priestly document, then (1) YHWH can prospectively “dwell” in the midst of the Israelites (Exod 25:8; 29:45); (2) the cloud can “dwell” over the tent (Exod 40:35, while the כבוד “fills” the tent itself); and (3) if one is still dealing with P^g in this case and not P^s, then the tent itself, apparently metonymically, can “dwell” in the midst of the Israelites (Lev 16:16; cf. Josh 18:1; 22:19).²⁰ However, the dwelling of the כבוד יהוה is unique.

While the expression כבוד יהוה “the glory of YHWH” is functionally central to the Priestly document, prior to Exod 24:16 it appears only in Exod 16:7, 10.²¹ One should additionally mention the use of the *niphal* of כבד with YHWH as the subject in Exod 14:4, 17–18 (P^g).²²

The six-day silence and the speech by God on the seventh day constructs an inverse relationship to Gen 1:1–2:4a, where God speaks for six days and remains silent on the seventh. The fact that a close relationship exists between Gen 1:1–2:4a and Exod 24:16 is evident, but given the even more prominent Priestly *inclusio* of Gen 1 and Exod 39–40, which makes the completion of the sanctuary parallel to the completion of creation, the functionally inverse references by Exod 24:16 to Gen 1:1–2:4a are quite striking.

Gen 1:31a: And God *saw* everything that he had made, *and see*, it was very good.

Exod 39:43a: And Moses *saw* the entire work, *and see*, they had done it.

2:1: *Thus* the heavens and the earth with their entire multitude *were completed*.

39:32a: *Thus was completed* all the work for the holy tent of meeting.

2004); *Die Bibel: Einheitsübersetzung* (Stuttgart: Katholisches Bibelwerk, 1980/2004); *Zürcher Bibel* (Zurich: Verlag der Zürcher Bibel, 2007).

20. See the compilation by Janowski, *Sühne*, 307 n. 177.

21. See the monographic treatment by Struppe, *Die Herrlichkeit*. According to Pola, the introduction of כבוד יהוה in Exod 16 is too tenuous to attribute this section to P^g (*Die ursprüngliche Priesterschrift*, 137–38). According to him, one should expect an extensive introduction of כבוד יהוה. However, caution is advisable, for while כבוד יהוה is prominent within the Priestly document, it is not mentioned all that often when one remains skeptical about the appearance of P^g in Numbers: Exod 16:7, 10; 24:16–17; 40:34–35; Lev 9:6, 23; Num 14:10, 21; 16:19; 17:7; 20:6.

22. See Claus Westermann, “Die Herrlichkeit Gottes in der Priesterschrift,” in vol. 2 of *Forschung am Alten Testament: Gesammelte Studien*, TB 55 (Munich: Kaiser, 1974), 115–37.

2:2a: And God *completed* his work on the seventh day that he had done. 40:33b: And Moses *completed* the entire work.
 2:3a: And God *blessed* the seventh day. 39:43b: And Moses *blessed* them.

In Exod 24:17 mention is made of *הוֹרֵא כְבוֹד יְהוָה*, the “appearance of the glory of YHWH,” which again is singular in the Hebrew Bible. A *מראה* “appearance” of God is also found in Exod 3:3, according to Otto coming within the entirely post-Priestly call of Moses in Exod 3–4.²³ Moses inquires about the “appearance in the thorn bush.” The following verse of Exod 3:4 bears similarity to Exod 24:16: *וַיִּקְרָא אֶל מֹשֶׁה* “and he called to Moses.” The subject of Exod 24:17 is most similar to Num 9:15–16:

But when the tabernacle was set up, the cloud covered the tabernacle, the tent of the testimony, and at evening it appeared like fire over the tabernacle until morning. It was always so: the cloud covered it and the appearance of fire by night.

The statement that “the appearance of the glory of YHWH” has become visible in 24:17, linked to 24:16, implies that after the six days of the cloud covering the mountain it is now lifted so that one could directly see the “glory of YHWH” dwelling upon it. However, 24:18a then speaks of Moses going into the cloud, which indicates that it still covers the mountain. Apparently 24:17 interprets the juxtaposition in the previous verse (24:16: “and the cloud covered it [the mountain] for six days. And on the seventh day, he summoned Moses from the midst of the cloud”) such that it persists despite the covering and uncovering of the mountain by the cloud. On the other hand, 24:18a evidently assumes that it only comprises God’s silence and speaking, and the cloud also remains in its place on the seventh day so that Moses could enter into it. This difference in

23. Otto, “Die nachpriesterschriftliche Pentateuchredaktion,” 108–11; also Konrad Schmid, *Genesis and the Moses Story: Israel’s Dual Origins in the Hebrew Bible*, Siphut 3 (Winona Lake, IN: Eisenbrauns, 2010), 172–93; trans. of *Erzväter und Exodus: Untersuchungen zur doppelten Begründung der Ursprünge Israels innerhalb der Geschichtsbücher des Alten Testaments*, WMANT 81 (Neukirchen-Vluyn: Neukirchener Verlag, 1999), 186–209; contrary, e.g., Thomas Römer, “Exodus 3–4 und die aktuelle Pentateuchdiskussion,” in *The Interpretation of Exodus in Honour of Cornelis Houtman*, ed. Riemer Roukema et al., CEBT 44 (Leuven: Peeters, 2006), 65–79.

conceptions provides a rather clear indication that 24:17 likely concerns a later interpretation inserted between 24:16 and 24:18a.

God as *אש אכלה* “a consuming fire” only appears elsewhere in the Pentateuch in Deut 4:24 and 9:3 (see also Isa 29:6; 30:27, 30; 33:14; Joel 2:5). At least Deut 4:24 is likely post-Priestly, along with the entire chapter of Deut 4.²⁴

In addition to Exod 24:17, the expression *לעיני בני ישראל* “to the eyes of the children of Israel” only appears elsewhere in Num 20:12 and Josh 22:33. That the Israelites should even look at it at all in Exod 24:17 is somewhat striking, for the events, as in those texts of the Priestly document that follow (Exod 25–29), concentrate entirely on the encounter between God and Moses.

The expression *ראש ההר* “the summit of the mountain” refers back in the immediate context to Exod 19:20, and it only otherwise appears in Exodus in 34:2—nowhere else within the texts commonly attributed to the Priestly document.

Finally, the scene of Moses entering the cloud is also unique, not only within the Priestly document but in the Pentateuch as well.

This first pass through 24:15b–18a produces the following intermediate results: (1) The mentions with the definite article of “the mountain” and “the cloud” in 24:15, 16 do not refer to the preceding Priestly context but to the closest non-Priestly introductions of “mountain” and “cloud” in Exod 19. (2) Exodus 24:17 probably constitutes a secondary continuation that was not presumed by 24:18a. Exodus 24:17 interprets the statement in 24:16a—that the cloud covered the mountain for six days—as passing away, such that it disappeared afterwards, which is not explicitly stated. However, 24:16 probably only means that the cloud rested silently on the mountain for six days, then God began to speak on the seventh day.²⁵ (3) While Exod 24:15b–18a displays considerable closeness in its language and content to the basic Priestly layer (P⁸), it still generates a number of

24. Eckart Otto, “Deuteronomium 4: Die Pentateuchredaktion im Deuteronomiumsrahmen,” in *Das Deuteronomium und seine Querbeziehungen*, ed. Timo Veijola, SESJ 62 (Helsinki: Finnish Exegetical Society; Göttingen: Vandenhoeck & Ruprecht, 1996), 196–222.

25. The hypothesis by Houtman, *Exodus*, 3:304 (“How could the Israelites see the glory when there were such thick clouds [24:16, 18]? Presumably the light was so intensely bright that it shone through the clouds”) is more appropriate for the logic of the final text than the original sense.

singularities. In itself this does not represent a meaningful result; the discussion of the circumcision in Gen 17 is also singular in terminology and content within the Priestly document. However, it is noteworthy that these singularities within the basic Priestly document (P^g) have certain parallels in post-Priestly texts.

The conjecture that Exod 24:15b–18a does not belong to the basic Priestly document (P^g), but possibly first developed post-Priestly as Oswald has already suggested, is not too far removed.²⁶ One of the main functional consequences of this judgment would be that the basic Priestly document had no familiarity with a promulgation of law on Mount Sinai.

This only appears as a risky hypothesis at first glance, for like Exod 24:15b–18a, a post-Priestly development is also quite likely the case for all remaining verses in Exodus–Numbers that explicitly speak of the divine promulgation of the law on Mount Sinai:²⁷

Exod 31:18: And when he stopped speaking to Moses on Mount Sinai, he gave him the two tablets of the testimony, tablets of stone, written with the finger of God.

Lev 7:37: This was the instruction for the burnt offering, the meal offering, the sin offering, the guilt offering, the dedication offering, and the fellowship offering, 38 that YHWH gave to Moses on Mount Sinai on the day when he commanded the Israelites to bring their offerings to YHWH in the desert of Sinai.

Lev 25:1: And YHWH spoke to Moses on Mount Sinai ...

Lev 26:46: These are the statutes and the ordinances and the instructions that YHWH established on Mount Sinai between himself and the Israelites through Moses.

Lev 27:34: These are the commandments that YHWH gave Moses for the Israelites on Mount Sinai.

Num 3:1: And this is the lineage of Aaron and Moses at the time when YHWH spoke with Moses on Mount Sinai.

26. See n. 18, above.

27. See Oswald, *Israel*, 203–5.

Exodus 31:18 appears after the conclusion of the promulgation of the Sabbath law of 31:12–17, which itself is likely post-Priestly in its entirety,²⁸ connecting the Priestly tradition with the motif of the tablets, which does not appear in the Priestly document.²⁹ Leviticus 7:37–38 concludes the instructions of the offerings and peculiarly doubles the subscription already given in the previous verse of Lev 7:36. Leviticus 25:1; 26:46; and 27:34 within the Holiness Code are post-Priestly anyway. Numbers 3:1 concerns the scattered eleventh record of a lineage outside Genesis that apparently now additionally intended to add a lineage for Moses and Aaron.

Furthermore, the promulgation of the law on Sinai is mentioned three times in the תבנית notices of Exod 25:1; 26:46; and 27:34, which likely presuppose the above-mentioned verses. In addition, the image of the salvation history put forth by the Priestly document itself in Exod 6:6–8 does not name Sinai as the location of the law's promulgation. While the first half of the covenant formula ("I will take you as my people and be your God") stands, in terms of its theological content, for the Sinai pericope between exodus ("who leads you out of the corvée of Egypt") and the possession of the land ("and I will bring you into the land"), the Priestly document does not appear to provide this stage of the salvation history with a specific geographic location but apparently has in mind the wandering in the wilderness:

Exod 6:6–8: Therefore, say to the Israelites: I am YHWH. I will lead you out of the corvée of Egypt and deliver you from their service and redeem you with outstretched arm and through mighty judgments. I will take you as my people and be your God, and you will know that I am YHWH, your God, who led you out of the corvée of Egypt. And I will bring you into the land that I swore to give to Abraham, Isaac, and Jacob, and I will give it to you as a possession, I, YHWH.³⁰

28. See Walter Gross, "'Rezeption' in Ex 31,12–17 und Lev 26,39–45," in *Rezeption und Auslegung im Alten Testament und in seinem Umfeld: Ein Symposium aus Anlass des 60. Geburtstags von Odil Hannes Steck*, ed. Thomas Krüger and Reinhard G. Kratz, OBO 153 (Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 1997), 45–64.

29. See Christoph Dohmen, "Was stand auf den Tafeln vom Sinai und was auf denen vom Horeb?," in *Vom Sinai zum Horeb: Stationen alttestamentlicher Glaubensgeschichte*, ed. Frank-Lothar Hossfeld (Würzburg: Echter, 1989), 9–50.

30. The post-Priestly reception of Exod 6 in Exod 3–4 (see Otto, "Die nachpriesterschriftliche Pentateuchredaktion," 108–11) is familiar with the promulgation

Therefore, as a working hypothesis that is open to revision, one may speculate that the promulgation of the law on Mount Sinai does not concern a genuine Priestly conception.

Where, then, did the proclamation of the law to Moses take place, according to the Priestly document, if not on the mountain? The most likely suggestion is that Sinai in the Priestly document concerns a desert and not a mountain, as stated in Exod 19:2a, a text commonly classified as Priestly: “And they set out from Rephidim and came into the desert of Sinai, and they camped in the desert.”³¹ In this very desert, Moses receives God’s instructions for constructing the tent (Exod 25:1–29:46). God’s revelation in the desert of Sinai would then appear analogous to those given at other stations of the wilderness, according to the Priestly document: “But when Aaron spoke to the whole assembly of the Israelites, they turned to the desert, and look, the glory of YHWH appeared in the cloud” (Exod 16:10). In support, in the texts of Num 1–10, which hardly belong to the basic Priestly layer (P^s) but probably arise in connection to it as P^s, the Sinai quite simply represents the desert of Sinai, the explicit location of revelation:

Num 1:1: And YHWH spoke to Moses in the desert of Sinai in the tent of meeting on the first day of the second month in the second year after their departure from the land of Egypt.

Num 1:19: As YHWH had commanded Moses: In this way he enrolled them in the desert of Sinai.

Num 3:14: And YHWH spoke to Moses in the desert of Sinai: 15 Enroll the sons of Levi according to their families, according to their clans; all boys and men that are one month and older you shall enroll.

Num 9:1–5: And YHWH spoke to Moses in the desert of Sinai in the second year after their departure from the land of Egypt, in the first month: The Israelites shall keep the Passover at a set time. On the fourteenth day of this month, at twilight, you shall keep it at the appointed time. You shall keep it according to all its regulations and stipulations.

of law on Sinai; Exod 3:12: “Then he [God] said: I will be with you and this will be a sign for you that I have sent you. When you lead the people out of Egypt, you will serve God on this mountain.”

31. See Oswald, *Israel*, 205–8.

And Moses spoke to the Israelites that they should keep the Passover. And they kept the Passover in the first month on the fourteenth day of the month at twilight in the desert of Sinai. Exactly as YHWH had commanded Moses, thus the Israelites did.

One can naturally argue that the fact that the promulgation of the law was revealed in the desert in Numbers and not on the mountain constitutes a mark that sets it off as inferior.³² However, on one hand, this theory depends on the likely post-Priestly notice in Lev 27:34. On the other, it does not exclude the possibility that it continues an earlier Priestly consideration.

More important are the aspects of the content that call such a juxtaposition with the Mount Sinai conception within the Priestly document into question. First, the essential content of the Sinai pericope concerns the establishment of the tent of meeting, which is obviously more conceivable in the desert than on a mountain. This תבנית notices also appear to sense this: in the moment when the promulgation of the law is moved redactionally to the mountain, the tent of meeting becomes prefigured in a model.³³

In addition, the simple transfer of the shattered Zion theology to Sinai as a new divine mountain for the Priestly document is quite implausible in terms of the history of religion. For the Priestly document, God is no longer the powerful mountain God, but rather the creator of the world who, in the first instance, stands juxtaposed to the world in an a-local manner. He then allows his כבוד, as the form of his presence, to inhabit the world.³⁴ The כבוד is not, however, bound to the mountain; it instead appears in the tent:

32. Cf. Thomas Römer, "Israel's Sojourn in the Wilderness and the Construction of the Book of Numbers," in *Reflection and Refraction: Studies in Biblical Historiography in Honour of A. Graeme Auld*, ed. Robert Rezetko, Timothy H. Lim, and W. Brian Aucker, VTSup 113 (Leiden: Brill, 2007), 419–45.

33. See also the note by Blum, *Komposition des Pentateuch*, 313, emphasis added: "If Moses had to ascend the mountain in Exod 24 so that God would communicate with him, then after the completion of the *mishkan*, God himself is "with" the people, and there is no longer any need for the mountain" ("Musste Mose in Ex 24 noch auf den Berg hinaufsteigen, damit Gott mit ihm kommunizieren konnte, so ist Gott nach der Fertigstellung des Mischkan selbst 'bei' dem Volk, und des Berges bedarf es von nun an nicht mehr").

34. See Konrad Schmid, "God of Heaven, God of the World, and Creator: 'God' and the 'Heavens' in the Literature of the Second Temple Period," ch. 31 in this volume;

Then the cloud covered the holy tent, and the glory of YHWH [כבוד יהוה] filled the dwelling. And Moses could not enter the holy tent because the cloud [ענן] dwelt [שכן] upon it, and the glory of YHWH filled the dwelling. (Exod 40:34–35)

The growth of a well-developed conception of the divine mountain should not even be expected from the content of the theology of the Priestly document.

How, then, should Exod 24:15b–18a be explained if the text is not assigned to the basic Priestly layer? One should consider three essential motivating factors. (1) Exodus 24:15a–18a attempts to counterbalance the Priestly Sinai pericope with the non-Priestly one. The passage appears to have become necessary primarily when the Priestly document was connected with the non-Priestly context of the book of Exodus.³⁵ The instructions in Exod 25–31 must have taken place on the mountain in the present context. (2) Exodus 24:15b–18 attempts to provide a scenic introduction to the large revelation in Exod 25–31 and to distance God in terms of the theology of revelation (“six days of resting,” God’s speaking first begins after the theophany event). (3) Especially Exod 24:17 appears to want to include the Israelites in the events. The revelation on Sinai is thereby authenticated by the entire people seeing YHWH’s glory.

Finally, one can also argue that Exod 24:15b–18a is quite well connected into the Priestly document on a macrostructural level such that the piece cannot be composition-critically removed from it. However, a closer look at the proposed structure awakens doubt as to whether the—

see also Reinhard G. Kratz, “Gottesräume: Ein Beitrag zur Frage des biblischen Weltbilds,” *ZTK* 102 (2005): 419–34.

35. The pre-Priestly Sinai pericope could have been entirely familiar with the conception of the “mountain,” while the “Mount Sinai” references in Exod 19:10–11, 18, 23 themselves were likely post-Priestly: “Then YHWH spoke to Moses: ‘Go to the people and make sure that they remain holy today and tomorrow: They should wash their clothes and prepare for the third day, for on the third day, YHWH will descend before the eyes of the entire people’” (19:10–11); “Now Mount Sinai was completely wrapped in smoke because YHWH had descended upon it in the fire. And its smoke ascended like the smoke of a kiln, and the whole mountain shook mightily” (19:18); “And YHWH descended upon Mount Sinai, upon the summit of the mountain. And YHWH summoned Moses to the summit of the mountain, and Moses ascended” (19:20); “Then Moses said to YHWH, ‘The people cannot ascend Mount Sinai, for you yourself have warned us and said: “Draw a boundary around the mountain and declare it holy”’” (Exod 19:23).

here not at all disputed—overarching and context-structuring function of Exod 24:15–18 should be interpreted solely or rather compellingly within the framework of a unified basic Priestly layer or whether it might not also have arisen redactionally.

According to Weimar, for example, Exod 19:1 and 24:15–16, on the one hand, and Exod 40:17, 34, on the other, form a parenthesis (A, A') around the Priestly Sinai theophany.³⁶ The framing elements correspond because of their dates, because of the motif of the cloud covering the mountain, on the one hand, and the tent, on the other, and because of the *כבוד יהוה* that “dwells” on the mountain and fills the “dwelling” of the tent. However, the inner framing pieces B and B' do not correspond to one another in their formulations. Nor do the cloud covering the mountain and the tent match one another. In terms of the narrative, the geographic movement from the mountain to the building of the tent never takes place.

A further structural function of Exod 24:15b–18a + 25:1 is seen in the parallel direction of Exod 40:34–35 + Lev 1:1.³⁷ Just as the cloud first covers the mountain in Exod 24–25, then the *כבוד יהוה* takes up dwelling on the mountain, and YHWH then summons Moses to speak to him, in Exod 40 as well the cloud covers the tent, then the *כבוד יהוה* fills the dwelling, and YHWH summons Moses and speaks to him. This is in fact somewhat plausible, but one cannot speak of strictly parallel movements here either. In Exod 40 Moses cannot enter the tent, but in Exod 24 he enters the cloud. Why? Are the instructions for constructing the tent so much greater than those on the performance of the offering? In addition, for this option, one would also need to assume that the basic Priestly layer (P⁸) extended beyond Exod 40, which is not beyond doubt.

Therefore, even the above-mentioned structural observations do not provide necessary arguments for the unequivocal attribution of Exod 24:15b–18a to the basic Priestly layer (P⁸). In sum, one can maintain the following.

1. Whether Exod 24:15b–18a belongs to the basic Priestly layer (P⁸) is uncertain. The indicators instead suggest that the text has a post-Priestly origin.

36. Weimar, *Studien*, 293; cf. Janowski, *Sühne*, 309–12.

37. Cf. Blum, *Komposition des Pentateuch*, 312–13 (for earlier sources, see n. 95); Pola, *Die ursprüngliche Priesterschrift*, 362.

2. If this is correct, then the basic Priestly layer did not develop a conception of a proclamation of the law on Mount Sinai. Exodus 25–29 connected directly to Exod 19:2.
3. Accordingly, it appears that the basic Priestly layer of Exod 25–40 and, if one also attributes them to P^g, Lev 1–9 originally took place in the desert called Sinai.
4. The promulgation of the law on Mount Sinai, where it does receive mention, is late in terms of the literary history. The notices in Exod 31:18; Lev 7:38; 25:1; 26:46; 27:34; and Num 3:1, which speak of a divine promulgation of the law on Sinai, are probably post-Priestly.
5. Whether the basic Priestly layer had a conception of a proclamation of the law on a mountain (still without the terminological specification “Sinai”) that was as yet unknown within the framework of the oral and written traditions familiar to it, is, however, not yet determined. It is also conceivable that the basic Priestly layer consciously ignored a preexisting conception of a divine mountain.
6. Concerning Lev 7:38; 25:1; 26:46; 27:34; and Num 3:1, whether they harmonize the Priestly Sinai pericope with its non-Priestly counterpart in terms of content or whether this harmonization was already in existence and reemphasized, they appear to me to indicate that a non- or even pre-Priestly conception of the divine mountain already existed.
7. The question of the age of the divine mountain of Sinai in the Hebrew Bible must likely be reopened, even if it remains uncertain whether one can answer it in the manner proposed by Henrik Pfeiffer in his Berlin Habilitationsschrift, *Jahwes Kommen vom Süden*.³⁸ He contends that the exodus is early in terms of tradition history, just as old as Zion (which he has taking on Yahwistic hues). However, from his point of view, the development of the conception of Sinai as the divine mountain first becomes conceivable in the exilic situation. The presence of God located on Zion was delocalized so that divine contact could also be theologically

38. Henrik Pfeiffer, *Jahwes Kommen vom Süden: Jdc 5; Hab 3; Dtn 33 und Ps 68 in ihrem literatur- und theologiegeschichtlichen Umfeld*, FRLANT 211 (Göttingen: Vandenhoeck & Ruprecht, 2005).

constituted apart from Zion. Pfeiffer deduces the choice of the specific location of Sinai both *e silentio* and *more geometrico*:

A better location than the “desert of Sinai” could not be found for the “new Zion.” Egypt is eliminated from the outset as a possible location for the divine mountain. It would have made the exodus superfluous. Therefore, what remained was only the no man’s land between Egypt and Canaan.³⁹

Nevertheless, whether all arguments speak in favor of YHWH’s religious-historical origin from the south are sufficiently refuted in Pfeiffer’s concluding chapter must be considered open for the present scholarly discussion.⁴⁰

39. Pfeiffer, *Jahwes Kommen*, 268: “Einen besseren Ort als die ‘Wüste Sinai’ hätten sie für den ‘neuen Zion’ nicht finden können. Ägypten als möglicher Ort des Gottesberges schied von vornherein aus. Es hätte den Exodus überflüssig gemacht. Es blieb also nur das Niemandsland zwischen Ägypten und Kanaan.”

40. Pfeiffer, *Jahwes Kommen*, 260–68.

Part 7
Legal Texts

Divine Legislation in the Pentateuch in Its Late Judean and Neo-Babylonian Context

26.1. Introduction

The Torah presents God's law as given to Moses on Mount Sinai. According to the Pentateuch as it now stands, God is a lawgiver from the very beginning of the story line in Genesis. The first speech that God addresses to the humans in Gen 1:28 concerns a commandment that, according to some strands of the Jewish tradition, is the most important one:

פרו ורבו ומלאו את הארץ וכבשה ורדו בדגת הים ובעוף השמים ובכל חיה הרמשת
על הארץ

Be fruitful and multiply, and fill the earth and subdue it; and have dominion over the fish of the sea and over the birds of the air and over every living thing that moves upon the earth.

Likewise, in the second narrative of the Bible, Gen 2–3, God's first word involves a commandment that alludes to a traditional, legal stipulation of capital punishment (Gen 2:16–17):

מכל עץ הגן אכל תאכל ומעץ הדעת טוב ורע לא תאכל ממנו כי ביום אכלך ממנו
מות תמות

You may freely eat of every tree of the garden; but of the tree of the knowledge of good and evil you shall not eat, for in the day that you eat of it you shall die.

This deeply anchored understanding of God as a lawgiver has perhaps made this notion so commonplace in scholarship that biblical interpreters do not recognize it as a historical problem.¹

The best way to clarify this point is to look into the history of scholarship. Over the last four decades in Hebrew Bible studies, three major developments have been responsible for highlighting the notion of divine legislation in the Pentateuch as a historical problem.

The first of these developments is the contextualization of the Hebrew Bible, especially its legal traditions, within the broad realm of the ancient Near East. This methodological move was inaugurated in the late nineteenth and early twentieth centuries by the history of religions school,² but was later neglected for a variety of reasons in the mid-twentieth century. However, over the past five decades, the general increase in scholarship on ancient Near Eastern laws and the interaction between ancient Near Eastern and biblical scholars have produced detailed inquiries that show not only the commonalities, but also the differences between Mesopotamian and ancient Israelite legal traditions.³

The second development is the departure from the once dominant approach of Albrecht Alt in the interpretation of biblical law.⁴ His approach was closely tied to the drawing of sharp distinctions between Canaan and Israel, which has become less and less plausible within biblical studies, especially since the 1990s.⁵

The third development is the transformation of pentateuchal research that began in the mid-1970s and that, as one factor among others, brought

1. See, e.g., Rüdiger Lux, "Hammurapi und Mose: Gottesrecht und Königsrecht im Alten Orient und im Alten Testament," in *Jenseits des Paradieses: Vorträge und Bibelarbeiten zum Alten Testament* (Leipzig: Evangelische Verlagsanstalt, 2003), 112–39, 257–59.

2. See Gerd Lüdemann and Alf Özen, "Religionsgeschichtliche Schule," *TRE* 28:618–24.

3. See Eckart Otto, "Die biblische Rechtsgeschichte im Horizont des altorientalischen Rechts," in *Altorientalische und biblische Rechtsgeschichte: Gesammelte Studien*, BZABR 8 (Wiesbaden: Harrassowitz, 2008), 56–82.

4. Albrecht Alt, *Die Ursprünge des israelitischen Rechts* (Leipzig: Heitzel, 1934).

5. See Israel Finkelstein and Nadav Na'aman, eds., *From Nomadism to Monarchy: Archaeological and Historical Aspects of Early Israel* (Jerusalem: Israel Exploration Society, 1994); Volkmar Fritz, *The Emergence of Israel in the Twelfth and Eleventh Centuries B.C.E.*, trans James W. Barker, *Biblical Encyclopedia 2* (Atlanta: Society of Biblical Literature, 2011) (German orig. 1996).

pentateuchal theory closer to the results from the literary-historical investigation into other biblical books.⁶ The changes in pentateuchal studies brought this subdiscipline closer to the reconstructions of the history of religion in ancient Israel and Judah, as far as such reconstructions are based not on the biblical records, but on epigraphy and archaeology: the Pentateuch's story line of a God who creates the world, takes care of the patriarchs, leads Israel out of Egypt, and gives Moses the law on Mount Sinai does not belong at this literary history's beginning but rather toward its end.⁷ Accordingly, just as we do with other roles of God (e.g., God as creator), we are justified in asking: How did the notion of God as a lawgiver develop within the intellectual and literary history of the Pentateuch?⁸

Tackling this question involves a number of obstacles. As is well known, scholarship on the Pentateuch is a rough field with many divides. One of these divides pertains to dating pentateuchal texts. There is general agreement on one very basic statement: The Pentateuch's narrative plays out in the second millennium BCE, but it was written in the first millen-

6. See, e.g., Thomas Römer, "Zwischen Urkunden, Fragmenten und Ergänzungen: Zum Stand der Pentateuchforschung," *ZAW* 125 (2013): 2–24; Römer, Jean-Daniel Macchi, and Christophe Nihan, eds., *Einleitung in das Alte Testament: Die Bücher der Hebräischen Bibel und die alttestamentlichen Schriften der katholischen, protestantischen und orthodoxen Kirchen* (Zurich: TVZ, 2013), 120–68; Thomas B. Dozeman, Konrad Schmid, and Baruch J. Schwarz, eds., *The Pentateuch: International Perspectives on Current Research*, FAT 78 (Tübingen: Mohr Siebeck, 2011).

7. For placement at the beginning, see Gerhard von Rad, *The Problem of the Hexateuch and Other Essays*, trans. E. W. Trueman Dicken (Edinburgh: Oliver & Boyd, 1966); followed by Martin Noth, *A History of Pentateuchal Traditions*, trans. with an introduction by Bernhard W. Anderson, Scholars Press Reprint 5 (Chico, CA: Scholars Press, 1981); For placement at the end, see the discussion and bibliography in Jan C. Gertz, "Die Stellung des kleinen geschichtlichen Credos in der Redaktionsgeschichte von Deuteronomium und Pentateuch," in *Liebe und Gebot: Studien zum Deuteronomium; Festschrift zum 70. Geburtstag von Lothar Perlt*, ed. Reinhard G. Kratz and Hermann Spieckermann, FRLANT 190 (Göttingen: Vandenhoeck & Ruprecht, 2000), 30–45.

8. On God as creator, see Konrad Schmid, "Schöpfung im Alten Testament," in *Schöpfung*, ed. Konrad Schmid, TdT 4, UTB 3514 (Tübingen: Mohr Siebeck, 2012), 71–120. For the LXX and the literary history of the Pentateuch, see Martin Rösel, "Nomothese: Zum Gesetzesverständnis der Septuaginta," in *Studien zur Theologie, Anthropologie, Ekklesiologie, Eschatologie und Liturgie der Griechischen Bibel*, vol. 3 of *Im Brennpunkt: Die Septuaginta*, ed. Siegfried Kreuzer et al., BWANT 174 (Stuttgart: Kohlhammer, 2007), 132–50.

nium BCE. It may be that some of its oral roots or tradition-historical backgrounds reach back to the second millennium, but its literary history belongs to the first millennium.⁹

But how can we know whether or, if so, how the Pentateuch reflects the fall of Jerusalem in 587 BCE?¹⁰ At least in European scholarship ever since the late dating of P by Karl Heinrich Graf, Eduard Reuss, Abraham Kuenen, and Julius Wellhausen, there has been little doubt of a post-587 date at least for some portions of P, as well as for a series of post-P additions to the Pentateuch.¹¹ However, when we observe the global discussion

9. See the overview in Konrad Schmid, "The Pentateuch and Its Theological History," ch. 9 in this volume.

10. See, e.g., Odil H. Steck, *Old Testament Exegesis: A Guide to the Methodology*, 2nd ed., trans. James D. Nogalski, RBS 39 (Atlanta: Scholars Press, 1998), 143–50.

11. See the standard assignments to P by Karl Elliger, "Sinn und Ursprung der priesterlichen Geschichtserzählung," *ZTK* 49 (1952): 121–43; repr., *Kleine Schriften zum Alten Testament*, ed. Hartmut Gese and Otto Kaiser, TB 32 (Munich: Kaiser, 1966), 174–98; Norbert Lohfink, "Die Priesterschrift und die Geschichte," in *Congress Volume Göttingen 1977*, ed. John A. Emerton, VTSup 29 (Leiden: Brill, 1978), 183–225; repr., *Studien zum Pentateuch*, SBAB 4 (Stuttgart: Katholisches Bibelwerk, 1988), 213–253; Eckart Otto, "Forschungen zur Priesterschrift," *TRu* 62 (1997): 1–50. There is debate regarding the original end of P, especially in the wake of Lothar Peritt, "Priesterschrift im Deuteronomium?," *ZAW* 100 Suppl. (1988): 65–88, repr., *Deuteronomium-Studien*, FAT 8 (Tübingen: Mohr Siebeck, 1994), 123–43. Proposals include seeing the literary end at either Exod 29 (Otto, "Forschungen zur Priesterschrift"); Exod 40 (Thomas Pola, *Die ursprüngliche Priesterschrift. Beobachtungen zur Literaturkritik und Traditionsgeschichte von Pg*, WMANT 70 [Neukirchen-Vluyn: Neukirchener Verlag, 1995]; Reinhard G. Kratz, *The Composition of the Narrative Books of the Bible*, trans. John Bowden [London: T&T Clark, 2005], 100–14; Kratz, *Die Komposition der erzählenden Bücher des Alten Testaments*, UTB 2157 [Göttingen: Vandenhoeck & Ruprecht, 2000], 102–17; Michaela Bauks, "La signification de l'espace et du temps dans l'historiographie sacerdotale," in *The Future of the Deuteronomistic History*, ed. Thomas Römer, BETL 147 [Leuven: Peeters, 2000], 29–45); Lev 9 (Erich Zenger, "Priesterschrift," *TRE* 27:435–46; Zenger, *Einleitung in das Alte Testament*, KStTh 1.1, 5th ed. [Stuttgart: Kohlhammer, 2004], 156–75); Lev 16 (Matthias Köckert, *Leben in Gottes Gegenwart: Studien zum Verständnis des Gesetzes im Alten Testament*, FAT 43 [Tübingen: Mohr Siebeck, 2004], 105; Christophe Nihan, *From Priestly Torah to Pentateuch: A Study in the Composition of the Book of Leviticus*, FAT 2/25 [Tübingen: Mohr Siebeck, 2006], 20–68); or Num 27 (Jean-Louis Ska, "Le récit sacerdotal: Une 'histoire sans fin'?", in *The Books of Leviticus and Numbers*, ed. Thomas Römer, BETL 215 [Leuven: Peeters, 2008], 631–53). Between Exod 40 and Lev 26, a staggering of endings within P is suggested by Jan C. Gertz, ed., *Grundinformation Altes Testament: Eine Einführung in Literatur, Religion und Geschichte des Alten*

on the Pentateuch's composition, it is not possible to speak of a consensus in this regard. Scholars such as Israel Knohl, Baruch Schwartz, Joel Baden, Jeffrey Stackert, Bill Schniedewind, Jan Joosten and others assign the Pentateuch largely, albeit with some exceptions, to the monarchic period.¹² From such a perspective, the fall of Jerusalem would have impacted a Pentateuch that was already mostly or entirely complete.

In order to approach the question of whether or not the Pentateuch presupposes the fall of Jerusalem, four basic observations are in order.¹³ Three of these observations seem to support the conjecture that the Pentateuch presupposes this event, and one seems to point in the opposite direction. Of course, as always in biblical studies, such observations are never completely compelling but remain to some extent debatable. Otherwise, we would not have such divergent conclusions in scholarship. However, it remains our task to assess and discuss the evidence in order to arrive at a clearer notion of the history of the Pentateuch.

Testaments, 2nd ed., UTB 2745 (Göttingen: Vandenhoeck & Ruprecht, 2007), 236. Christian Frevel, *Mit Blick auf das Land die Schöpfung erinnern*, HBS 23 (Freiburg: Herder, 2000), supports the traditional conclusion in Deut 34 (cf. Ludwig Schmidt, *Studien zur Priesterschrift*, BZAW 214 [Berlin: de Gruyter, 1993], 271; Peter Weimar, *Studien zur Priesterschrift*, FAT 56 [Tübingen: Mohr Siebeck, 2008], 17). Joseph Blenkinsopp, "The Structure of P," *CBQ* 38 (1976): 275–92; Lohfink, "Die Priesterschrift und die Geschichte"; Ernst Axel Knauf, "Die Priesterschrift und die Geschichten der Deuteronomisten," in Römer, *Future of the Deuteronomistic History*, 101–18; Philippe Guillaume, *Land and Calendar: The Priestly Document from Genesis 1 to Joshua 18*, LHBOTS 391 (New York: T&T Clark, 2008), see the conclusion of P^s in Joshua. For an argument against P as a source in Exodus, see Christoph Berner, *Die Exoduserzählung: Das literarische Werden einer Ursprungslegende Israels*, FAT 73 (Tübingen: Mohr Siebeck, 2010). However, see my review in *ZAW* 123 (2010): 292–94. Rainer Albertz, *Exodus 1–18*, ZBK 2.1 (Zurich: TVZ, 2012), 10–26; as well as Jakob Wöhrle, *Fremdlinge im eigenen Land: Zur Entstehung und Intention der priesterlichen Passagen der Vätergeschichte*, FRLANT 246 (Göttingen: Vandenhoeck & Ruprecht, 2012), hold a similar position for Gen 12–50.

12. E.g., Israel Knohl, *Sanctuary of Silence* (Minneapolis: Fortress, 1995; repr., Winona Lake, IN: Eisenbrauns, 2007); Jeffrey Stackert, *A Prophet Like Moses: Prophecy, Law, and Israelite Religion* (Oxford: Oxford University Press, 2014), 31–35.

13. See also the discussion in Jean-Louis Ska, *Introduction to Reading the Pentateuch* (Winona Lake, IN: Eisenbrauns, 2006), 184–87; Thomas Römer, "La naissance du Pentateuque et la construction d'une identité en débat," in *L'identité dans l'Écriture, Hommage au professeur Jacques Briand*, ed. Olivier Artus and Joëlle Ferry, LD 228 (Paris: Cerf, 2009), 21–43.

26.2. Is the Torah an Exilic Document?

The first of these four observations is that the Torah plays out mostly outside the land of Israel. Of course, the ancestors in the book of Genesis already dwell within the land, but they are called “strangers.” Bracketing the question of the extent to which the Torah’s content is fictitious, it seems to address and presuppose an audience acquainted with life in the diaspora. As David J. A. Clines once put it: “The Torah is an *exilic* document in terms of its content, regardless of how one dates its texts.”¹⁴ In this respect, it is especially noteworthy that Israel’s laws are given outside of the land. The law in the Pentateuch is apparently not tied to the land, a point highlighted even more through the prominent placement of the Decalogue in Exod 20 and Deut 5, which serves as a prologue to both the laws of Sinai and Transjordan and which may be observed everywhere in the diaspora, not just in Israel’s homeland.

Second, in political terms the Pentateuch is basically a republican document, not a monarchic one. While the Pentateuch’s laws deal with many things, they hardly ever deal with issues surrounding a king. The only exception is the law of the king in the book of Deuteronomy. But significantly, this text presents the choice of a king as an option that Israel may or may not choose (according to Deut 17:14–15): “When [כִּי] you have come into the land ... and you say, ‘I will set a king over me, like all the nations that are around me,’ you may indeed set over you a king.”¹⁵ We are not left with the impression that the Torah is primarily concerned with kingship and monarchy. This political observation is of course consistent with the Torah’s narrative setting well before the establishment of kingship in Israel and Judah, but it is also consistent with a possible postmonarchic production milieu and audience for the texts.

14. David J. A. Clines, *The Theme of the Pentateuch*, 2nd ed., JSOTSup 10 (Sheffield: Sheffield Academic, 1997), 103–4 (emphasis added).

15. On this text, see Thomas Römer, “La loi du roi en Deutéronome 17 et ses fonctions,” in *Loi et Justice dans la Littérature du Proche-Orient ancien*, ed. Olivier Artus, BZABR 20 (Wiesbaden: Harrassowitz, 2013), 99–111, for a date in the Persian period (104–5); see also Gary N. Knoppers, “The Deuteronomist and the Deuteronomistic Law of the King: A Reexamination of a Relationship,” *ZAW* 108 (1996): 329–46; Bernard M. Levinson, “The Reconceptualization of Kingship in Deuteronomy and the Deuteronomistic History’s Transformation of Torah,” *VT* 51 (2001): 511–43.

Third, the Pentateuch presents its laws as God's laws.¹⁶ This point represents the chief topic of the present article. According to the Torah, God is Israel's lawgiver. This feature proves striking in light of the ancient Near Eastern notion that gods do not get directly involved in the process of legislation, especially not as a direct source of the laws. Legislation concerns a natural task for kings, not for gods. Nevertheless, obscurity surrounds the precise relationships in ancient Near Eastern legal texts between gods, kings, and the law. Jacob Finkelstein once put it this way: "What the god 'gives' the king is not 'laws' but the gift of perception of *kittum*, by virtue of which the king, in distinction from any other individual, becomes capable of promulgating laws that are in accord or harmony with the cosmic principle of *kittum*."¹⁷ An apt illustration of these relationships appears in the epilogue of the Codex Hammurabi, where Hammurabi states: "I, Hammurabi, am a righteous king [*šār mi-ša-rim*], to me Shamash has granted the eternal truths/rights [*ki-na-tim*]." Hammurabi is neither the author nor the source of *kinatu* but rather receives it from Shamash. However, Shamash himself seems not to be considered the ultimate source of *kinatum*. In the inscription of Yahdun-Lim, king of Mari, the king writes in his introduction: "To Shamash, the king of the heavens and the earth, the magistrate of gods and men, whose allotted portion is righteousness [*me-še-rum*] to whom truths/rights [*ki-na-tum*] have been granted as a gift." Apparently, *kinatu* is considered to have a metadivine origin, with Shamash himself being not the source, but rather a recipient of *kinatu*. To be clear, though, the texts I have just quoted cannot be used to reconstruct a singular ancient Near Eastern conception of the relationship between laws and gods.

16. Cf. Rémi Brague, *The Law of God: The Philosophical History of an Idea*, trans. Lydia G. Cochrane (Chicago: University of Chicago Press, 2007).

17. In a note appended to Moshe Greenberg, "Some Postulates of Biblical Criminal Law," in *Yehezkel Kaufmann Jubilee Volume: Studies in Bible and Jewish Religion Dedicated to Yehezkel Kaufmann on the Occasion of His Seventieth Birthday*, ed. Menahem Haran (Jerusalem: Magnes, 1960), 5–28. This is cited by Shalom M. Paul, *Studies in the Book of Covenant in the Light of Cuneiform and Biblical Law*, VTSup 18 (Leiden: Brill, 1970), 7. Cf. Eckart Otto, "Recht und Ethos in der ost- und west-mediterranen Antike: Entwurf eines Gesamtbildes," in *Gott und Mensch im Dialog: Festschrift Otto Kaiser*, ed. Markus Witte, BZAW 345.1 (Berlin: de Gruyter, 2004), 91–109, esp. 105.

Since the Torah is anchored in a premonarchic narrative setting, it would certainly have proved impossible to develop the notion of a royal lawgiver other than God, the only and true king of Israel. Nevertheless, the divine origin of Israel's laws presents a very distinctive feature of the Torah that does not immediately support an exclusively monarchic dating of its texts.

Fourth, the Hebrew of the Torah is what most scholars deem as Classical or Standard Biblical Hebrew, as opposed to Early or Late Biblical Hebrew. With comparative reference to the corpus of epigraphical Hebrew texts from the monarchic period, some scholars conclude on the basis of its linguistic character that the Pentateuch is basically a pre-exilic document.

The most recent argument along these lines appears in Gary A. Rendsburg's entry on "Linguistic Layers in the Pentateuch" in the *Encyclopedia of Hebrew Language and Linguistics*. He comes to the following conclusion:

In sum, the main body of the Torah is written in Standard Biblical Hebrew, which represents the language of Judah during the monarchy (both early and late). A few chapters employ the technique known as style-switching, in order to create an Aramean environment. Some poems within the prose text reflect an older stratum of Hebrew and may hark back to a poetic epic tradition. And a few passages, especially those concerning the northern tribes, contain elements of Israelian Hebrew. Most importantly, there are no indications of Late Biblical Hebrew in the Pentateuch.¹⁸

Of course, Rendsburg's conclusion is at odds with other basic observations made earlier in this essay. Yet despite his argument, the indisputable fact that the Torah is written in Standard Biblical Hebrew does not necessarily lead to the conclusion that its texts are preexilic in origin. This issue is a complicated and delicate matter,¹⁹ but from the

18. Gary A. Rendsburg, "Pentateuch, Linguistic Layers in the," *EHL* 2:63.

19. Some more recent contributions to the discussion of linguistic dating include Dong-Hyuk Kim, *Early Biblical Hebrew, Late Biblical Hebrew, and Linguistic Variability: A Sociolinguistic Evaluation of the Linguistic Dating of Biblical Texts*, VTSup 156 (Leiden: Brill, 2013); Cynthia Miller-Naudé and Ziony Zevit, eds., *Diachrony in Biblical Hebrew*, LSAWS 8 (Winona Lake, IN: Eisenbrauns, 2012); Aaron D. Hornkohl, "Biblical Hebrew: Periodization," *EHL* 1:315–25; Robert Rezetko and Ian Young, *His-*

perspective of pentateuchal scholarship, several aspects come to mind that deserve consideration.

First, the fact that a text is written in Standard or Classical Biblical Hebrew (CBH) and not in Late Biblical Hebrew (LBH) informs us primarily about its theological position within the biblical tradition and not, or at least not directly, about its historical date of composition. To oversimplify for a moment: CBH texts are mainly Torah-oriented, whereas LBH texts are not, at least not to the same extent.

Second, there is a significant gap in the external, nonbiblical corpora for Hebrew from the sixth to the second centuries BCE. Although there are many extant inscriptions from that period, they are in Aramaic, not Hebrew. Therefore, the external evidence does not enable us to define a clear *terminus ante quem* for CBH. The *terminus ante quem* could be in the sixth century, but it could also be later.

Third, there is a basic asymmetry between the methods that linguists use for dating CBH texts on the one hand and LBH texts on the other. According to them, biblical texts written in CBH belong to the timeframe of the eighth to sixth century because the matching external evidence dates to that period. The external evidence for LBH consists mainly of the texts from the Dead Sea from the second and first centuries BCE, but the biblical texts written in LBH, like Chronicles, Ezra, Nehemiah, Daniel and Esther, are dated much earlier by the linguists because these texts are, for a variety of reasons at least, obviously older than the second or first century. Therefore, at minimum, the arguments regarding LBH show that a multitude of arguments require consideration when dating biblical texts, and what seems fair for LBH should also be accepted for CBH.

Fourth, the absence of Persian loanwords is an important argument among those who favor a generally preexilic date for the Pentateuch. The reasoning argues that, if the Pentateuch contained texts from the Persian period, then one would expect to find Persian loanwords, of which there are none. But how significant is this point?²⁰ To begin with, there are

torical Linguistics and Biblical Hebrew: Steps toward an Integrated Approach, ANEM 9 (Atlanta: Society of Biblical Literature, 2014).

20. Mats Eskhult, "The Importance of Loanwords for Dating Biblical Hebrew Texts," in *Biblical Hebrew: Studies in Chronology and Typology*, ed. Ian M. Young (London: T&T Clark, 2003), 8–23.

very few Persian loanwords in the Hebrew Bible as a whole.²¹ Admittedly, no Persian loanword appears in the Pentateuch. But why should we expect otherwise? It is necessary here to invoke the specific narrative setting of the Pentateuch: The Pentateuch plays out basically in the second millennium BCE, in the period before David, Solomon, the Assyrians, the Babylonians, and, of course, the Persians. The Pentateuch's awareness of this historicized scenery is most clearly evident from the fact that the Pentateuch refrains from mentioning Jerusalem, especially in Gen 22 and Deuteronomy. Hence, one should not expect Persian loanwords insofar as the Pentateuch employs a language corresponding to its narrative setting.

A fifth argument for a preexilic dating of CBH texts brought forward by some linguists consists of the notion that writers in later times could not reproduce CBH without mistakes. This argument contains a fundamental methodological problem: it is *a priori* and thus not falsifiable. That is, the argument holds that if a biblical text is written in clear and flawless CBH, then it is by definition preexilic, because, had the text been composed later, it would not be in correct CBH. Such an argument excludes the possibility of a late text in correct CBH from the outset. Indeed, seeing CBH as being copy-safe is a circular argument. Additionally, a learned elite idiom such as CBH that was not part of everyday spoken language might also have been preserved over time to a certain extent.

All in all, I do not completely deny the validity of a linguistic approach for dating the Pentateuch, but I strongly advise against using linguistic criteria *alone* for issues of dating, let alone for determining the Pentateuch's overall preexilic origin. The linguistic approach belongs in conjunction with other data and perspectives such as theological or ideological profiles, intertextual links, and archaeological information.

While I cannot speak on the archeological data, I can and will address the ideological profiles of the Pentateuch.²² I have already offered some

21. See, e.g., אֲדָרְבָּן, "Darc" (Ezra 8:27; 1 Chr 29:7); אֲחַשְׁדָּרְפָּנִים, "satraps" (e.g., Esth 8:9); גֹּזֵר, "treasurer" (Ezra 1:8); גִּנְזִים, "treasury" (e.g., Esth 3:9); גִּנְזָה, "treasury" (1 Chr 28:11); דָּת, "command, decree" (e.g., Esth 1:13); פֶּתָגָם, "edict, sentence" (Qoh 8:11; Esth 1.20); פֶּתֶשֶׁן, "copy" (e.g., Esth 3:14). See Avi Hurvitz, "Biblical Hebrew, Late," *EHL* 1:331.

22. Konrad Schmid, *The Old Testament: A Literary History*, trans. Linda M. Maloney (Minneapolis: Fortress, 2012).

basic observations in this regard and will now focus on the third point identified above that hints at the Torah's exilic shaping: namely, the notion that its laws are God's laws.

26.3. The Notion of Divine Legislation in the Pentateuch as a Historical Problem

First, a possible misunderstanding of this essay's title requires correction. This paper does not argue that the notion of divine legislation originated only and exclusively after the fall of Jerusalem and should, as such, be conceived as an entirely postmonarchic intellectual development in the legal history of ancient Israel. The main reason for this is the dating of Deuteronomy's literary core—originally, probably as an independent literary unit presenting its laws as God's laws—to Judah's late monarchic period. Such a dating of the “Ur-Deuteronomium” is contested but nevertheless still possible and even more widely accepted than an exilic setting.²³

Norbert Lohfink's famous question, “Das Deuteronomium: Jahwegesetz oder Mosegesetz?,” is less significant for our purposes because even if one decides that the fiction of Mosaic authorship of Deuteronomy belongs to its original literary shape, then the first-person address of Moses in Deuteronomy is a prophetic one.²⁴ Even in this case, Moses does not merely speak on his own authority but as God's prophet, so the first-person addresses by Moses point back transparently to the first-person of God.

This is the reason why this essay is on “Divine Legislation in the Pentateuch in Its Late Judean and Neo-Babylonian Context.” In what follows, the nonpentateuchal notions of divine legislation in the Hebrew Bible shall be described in order to get an initial impression of the literary and historical

23. On this new “Kampf um das Deuteronomium” (Walther Baumgartner, “Kampf um das Deuteronomium,” *TRu* 1 [1929]: 7–25), see Juha Pakkala, “The Date of the Oldest Edition of Deuteronomy,” *ZAW* 121 (2009): 388–401 (following Reinhard G. Kratz, “Der literarische Ort des Deuteronomiums,” in *Liebe und Gebot: Studien zum Deuteronomium; Festschrift zum 70. Geburtstag von Lothar Perlitt*, ed. Reinhard G. Kratz and Hermann Spieckermann, *FRLANT* 190 [Göttingen: Vandenhoeck & Ruprecht, 2000], 101–20); Nathan MacDonald, “Issues in the Dating of Deuteronomy: A Response to Juha Pakkala,” *ZAW* 122 (2010): 431–35; Juha Pakkala, “The Dating of Deuteronomy: A Response to Nathan MacDonald,” *ZAW* 123 (2011): 431–36.

24. Norbert Lohfink, “Das Deuteronomium: Jahwegesetz oder Mosegesetz?,” *TP* 65 (1990): 387–91; repr., *Studien zum Deuteronomium und zur deuteronomistischen Literatur III*, SBAB 20 (Stuttgart: Katholisches Bibelwerk, 1995), 157–65.

contexts for this concept. The discussion will also show how scholarship has historically evaluated such observations. I will then turn to the law collections in the Pentateuch, especially the Covenant Code, discussing its redactional framing for older law collections interpreting them as God's laws. Finally, some historical explanations for the development of the notion of a divine lawgiver in Israel and Judah in its ancient Near Eastern context will be offered.

26.4. Sinai and God's Legislation on Sinai outside of the Pentateuch

It is not possible to discuss here all possible references to divine legislation in the Hebrew Bible, though it needs to be highlighted from the outset that, if one were to concentrate on the Sinai legislation, this task would not be too difficult. It could suffice just to consult Martin Noth's *Überlieferungsgeschichte des Pentateuch* and note his statement about the theme "Offenbarung am Sinai" (revelation at Sinai). Indeed, outside of the Pentateuch, the law giving at Sinai is mentioned only rarely, and it mostly appears in literary contexts that do not belong to the earliest layers of biblical literature. A traditional observation is that the earliest nonpentateuchal reference to the law giving at Sinai in its narrative context of the exodus story appears in Neh 9:13–14.

ועל הר סיני ירדת ודבר עמהם משמים ותתן להם משפטים ישרים ותורות אמת
חקים ומצות טובים ואת שבת קדשך הודעת להם ומצוות וחקים ותורה צוית להם
ביד משה עבדך

And you came down also upon Mount Sinai, and spoke with them from heaven, and gave them right ordinances and true laws, good statutes and commandments, and you made known your holy sabbath to them and commandments and statutes and a law you commanded them through your servant Moses.

Psalm 106:19 also mentions Sinai, or rather Horeb, but only the incident of the golden calf, not the giving of law.

יעשו עגל בחרב וישתחוו למסכה

And they made a calf at Horeb, and they worshiped a cast image.

Conversely, Ezek 20:10–11 mentions the law giving, but not Mount Sinai. The law giving takes place in the desert (ואבאם אל המדבר), so it is of course

possible that Mount Sinai may be in view. Nonetheless, it remains conspicuous that it is not mentioned explicitly.²⁵

Consistent with this scarce evidence are the famous references to Sinai in Judg 5:4–5, Hab 3:3, and Ps 68:8, all of which are entirely silent about the law but invoke God's theophany either on the mountain or from there. These texts are usually considered early or at least as relying on early traditions.²⁶ Henrik Pfeiffer argues to the contrary, but his position has been heavily and, to my mind, rightly criticized by Martin Leuenberger.²⁷

יהוה בצאתך משעיר בצעדך משדה אדום ארץ רעשה גם שמים נטפו גם עבים
נטפו מים הרים נזלו מפני יהוה זה סיני מפני יהוה אלהי ישראל

YHWH, when you went out from Seir, when you marched from the region of Edom, the earth trembled, and the heavens poured, the clouds indeed poured water. The mountains quaked before YHWH, the one of Sinai, before YHWH, the God of Israel. (Judg 5:4–5)

אלוה מתימן יבוא וקדוש מהר פארן סלה
כסה שמים הודו ותהלתו מלאה הארץ

God came from Teman, the Holy One from Mount Paran. *Selah*
His glory covered the heavens, and the earth was full of his praise. (Hab 3:3)

אלהים בצאתך לפני עמך בצעדך בישימון סלה
ארץ רעשה אף שמים נטפו מפני אלהים זה סיני מפני אלהים אלהי ישראל

25. See the discussion in Thomas Krüger, *Geschichtskonzepte im Ezechielbuch*, BZAW 180 (Berlin: de Gruyter, 1989), 199–274.

26. See the discussion in Othmar Keel, *Geschichte Jerusalems und die Entstehung des Monotheismus*, 2 vols., Orte und Landschaften der Bibel 4.1 (Göttingen: Vandenhoeck & Ruprecht, 2007). On Judg 5 see especially Ernst Axel Knauf, “Deborah’s Language: Judges Ch. 5 in Its Hebrew and Semitic Context,” in *Data and Debates: Essays in the History and Culture of Israel and Its Neighbors in Antiquity; Daten und Debatte; Aufsätze zur Kulturgeschichte des antiken Israel und seiner Nachbarn*, AOAT 407 (Münster: Ugarit-Verlag, 2013), 677–90.

27. Henrik Pfeiffer, *Jahwes Kommen vom Süden: Jdc 5; Hab 3; Dtn 33 und Ps 68 in ihrem literatur- und theologiegeschichtlichen Umfeld*, FRLANT 211 (Göttingen: Vandenhoeck & Ruprecht, 2005). See also Pfeiffer, “Die Herkunft Jahwes und ihre Zeugen,” *BTZ* 30 (2013): 11–43. See Martin Leuenberger, “Jhwhs Herkunft aus dem Süden: Archäologische Befunde–biblische Überlieferungen–historische Korrelationen,” *ZAW* 122 (2010): 1–19.

O God, when you went out before your people, when you marched through the wilderness, *Selah*
 the earth quaked, the heavens poured down rain at the presence of God,
 the one of Sinai, at the presence of God, the God of Israel. (Ps 68:8–9
 [ET: 7–8])

What can we glean from this very preliminary and sketchy picture? Nothing reliable, of course, because the far-reaching silence about the law giving at Sinai outside of the Pentateuch on its own constitutes a mere *argumentum e silentio* regarding its literary and historical anchoring in the Pentateuch. However, these observations nevertheless require explanation and, as a glance into the history of scholarship reveals, such an argument is not completely baseless.

26.5. The Historical Interpretation of the Divine Legislation at Sinai in the History of Scholarship

Early twentieth-century scholarship evaluated the rather isolated position of the law giving at Sinai in the Hebrew Bible by concluding that the Sinai tradition and the exodus tradition had different tradition-historical origins.²⁸ For example, Gerhard von Rad associated the exodus and the Sinai traditions with two different festivals that were located at two different venues.²⁹ “They [the Sinai events] seem to have formed a tradition unto themselves that existed independently from that scheme [of the salvation history from the creation to the conquest of the land]. The Sinai tradition was linked to that scheme very late.”³⁰ But his theory presupposed what it actually needed to demonstrate: the antiquity of the Sinai tradition and the association of the notion of divine legislation with that tradition.

However, until the late 1960s, it was unthinkable that the law giving at Sinai and the covenant established there between God and his people might not belong to the bedrock, the “Urgestein” of ancient Israelite religion. For instance, in von Rad’s 1957 *Theology of the Old Testament*, he held

28. See the analysis of the history of scholarship in Ernest W. Nicholson, *Exodus and Sinai in History and Tradition* (Oxford: Clarendon, 1973).

29. See also Noth, *Überlieferungsgeschichte des Pentateuch*, 63–67.

30. Von Rad, *Problem*, 20: “Diese [die Sinaiereignisse] scheinen demnach eine Tradition für sich gebildet zu haben, die unabhängig von jenem Schema [der Heilsgeschichte von der Schöpfung bis zur Landnahme] bestand und sich erst sehr spät mit ihm verbunden hat.”

that, without exception, all laws of the Pentateuch presuppose the notion of a covenant between God and people, as reported in the Sinai texts. "At any rate, the close link between ordinances and covenant must be kept in view. Because all of Israel's laws presuppose the covenant as an already established community between Yahweh and Israel and a sacred institution."³¹

Von Rad made this statement twelve years before the publication of Lothar Perlitt's *Bundestheologie im Alten Testament*. Perlitt's *Habilitationschrift* marks a major caesura in the historical interpretation both of the notion of covenant and the intellectual framework of the Hebrew Bible's legal traditions. "The first observation is as old as it is important: The Sinai pericope, even in its latest shape, evokes the impression of a huge insertion into the context."³² His dating of the covenant theology to the seventh century coincided with Rintje Frankena, Paul-Eugène Dion, and Moshe Weinfeld's proposals in the 1960s and early 1970s to interpret Deuteronomy's notion of covenant in light of Neo-Assyrian vassal treaties, a view that is now fairly well accepted.³³ Interestingly enough, Perlitt quotes Frankena and Weinfeld's work but does not really evaluate them substantially in his *Bundestheologie*.

The loose connection between the Sinai texts and the surrounding exodus narrative was also noticed by Julius Wellhausen and others in their days:

It seems as the pilgrimage to Sinai did not belong at all to the oldest saga. This one is transparent to a narrative in which the Israelites immediately traveled to Kadesh after the exodus from Egypt and remained there for the forty years of their sojourn in the desert. The digression to a point

31. Gerhard von Rad, *Theologie des Alten Testaments*, 10th ed., 2 vols. (Munich: Kaiser, 1992–1993), 1:207: "Unter allen Umständen muss die enge Verbindung zwischen Geboten und Bund im Auge behalten werden. Alle Gesetze Israels setzen ja den Bund als eine zwischen Jahwe und Israel zustandegekommene Gemeinschaft und sakrale Institution schon voraus."

32. Lothar Perlitt, *Bundestheologie im Alten Testament*, WMANT 36 (Neukirchen-Vluyn: Neukirchener Verlag, 1969), 156: "Die erste Beobachtung ist eine ebenso alte wie gewichtige: Die Sinaiperikope erweckt selbst in ihrer jüngsten Gestalt den Eindruck eines gewaltigen Einschubs in den Kontext."

33. Rintje Frankena, *The Vassal-Treaties of Esarhaddon and the Dating of Deuteronomy*, OTS 14, (Leiden: Brill 1965), 122–54; cf. Moshe Weinfeld, "Traces of Assyrian Treaty Formulae in Deuteronomy," *Bib* 46 (1965): 417–27.

[i.e., the Sinai] so distant from the actual destination of the wanderers is most unnatural.³⁴

But the Sinai pericope was not deemed merely a late, redactional insertion. Rather, as texts such as Judg 5, Ps 68, Hab 3, and Deut 33 suggest, Wellhausen contended that “the true and ancient significance of Sinai is entirely independent from the law giving. It was the dwelling of the deity, the holy mountain.”³⁵ The transition from the holy mountain to the station of the law giving was, according to Wellhausen, established by the Yahwist.

The Yahwist is here more than a redactor; he can be deemed the actual author of the pericope of the law giving on Sinai. Elsewhere he retreats

34. Julius Wellhausen, *Israelitische und jüdische Geschichte* (Berlin: de Gruyter, 1894), 12: “Es scheint, als ob die Wallfahrt zum Sinai in der ältesten Sage überhaupt keine Stelle gehabt habe. Es schimmert eine Form derselben durch, wonach die Israeliten sofort nach dem Ausbruch aus Ägypten auf Kades zogen und dort die vierzig Jahre ihres Aufenthalts in der Wüste verblieben. Unnatürlich genug ist die Digression nach einem Punkte, der so weit von dem eigentlichen Ziel der Ausgewanderten ablag”; cf. also Wellhausen, *Prolegomena zur Geschichte Israel* (Berlin, Reimer, 1883), 357–58: “In the Jehovist [combined JE source] a form of the tradition shines through in which the Israelites go to Kadesh directly after passing through the Reed Sea rather than first making a detour to Sinai. While we first get to Sinai in Exod 19, we already find ourselves in Exod 17 at Massah and Meriba, that is, in the territory of Kadesh.... Therefore, the narratives reported before the arrival at Sinai also return there after setting out from [Sinai] once again. For the location prior to and afterwards is the same.... In other words, the fact is that the Israelites did not only reach Kadesh, the original destination of their trek, after their digression to Sinai but rather directly after their exodus” (“Im Jehovisten scheint noch eine Form der Überlieferung durch, in welcher die Israeliten, sofort nach dem Durchgange durchs Schilfmeer auf Kades zogen und nicht erst den Abstecher zum Sinai machten. Während wir erst in Ex. 19 zum Sinai gelangen, befinden wir uns schon in Ex. 17 zu Massa und Meriba, d.h. auf dem Boden von Kades.... Darum kehren auch die Erzählungen, die vor der Ankunft am Sinai berichtet werden, nach dem Aufbruch von dort noch einmal wieder, weil das Lokal vorher und nachher das gleiche ist.... Das besagt mit anderen Worten, dass die Israeliten nicht erst nach der Digression zum Sinai, sondern sofort nach dem Auszuge in Kades, dem ursprünglichen Ziel ihrer Wanderung, anlangten”). See similarly von Rad, *Problem*, 20–21; and von Rad, *Theologie* 1:189.

35. Wellhausen, *Prolegomena zur Geschichte Israels*, 342: “Die wahre und alte Bedeutung des Sinai ist ganz unabhängig von der Gesetzgebung. Er war der Sitz der Gottheit, der heilige Berg.”

behind his sources. Here, he reports them to a large extent, but only in such a manner as he needs them as material for his own construction.³⁶

Nevertheless, the Pentateuch's present shape apparently indicates the looseness of the connection between the Sinai texts and their contexts. In the first half of the twentieth century, scholars such as Otto Eissfeldt and von Rad offered their own, not always or immediately convincing, thoughts on this observation:

Although there was always a lively memory of these processes [at Sinai], since the settlement in Canaan the connection to Sinai has quickly become loose.³⁷

The merging of the Sinai tradition into the tradition of the conquest of the land was the independent gamble by the Yahwist that remained unfamiliar for a long time; only around the time of exile did this connection become popular.³⁸

Of course, these explanations reflect the familiar conception that Israel's salvation history constitutes the basic feature of biblical faith. Today, scholars no longer unanimously presuppose this conception in their literary-historical reconstructions. The creedal formulation in Deut 26:5–9 can no longer serve as a literary-historical pillar for that conception, nor do reconstructions of ancient Israel and Judah's history of religion support it.³⁹ It is therefore likely that the literary anchoring of God's laws at Mount

36. Julius Wellhausen, *Die Composition des Hexateuchs und der historischen Bücher des Alten Testaments*, 3rd ed. (Berlin: Reimer, 1889), 94–95: "Der Jehovist ist hier mehr als Redaktor, er kann als der eigentliche Verfasser des Abschnittes von der Gesetzgebung auf Sinai gelten. Während er sonst ganz hinter seinen Quellen zurücktritt, teilt er sie zwar auch hier grossenteils wörtlich mit, aber doch so, dass er sie nur als Material zu dem eigenen Bau benutzt."

37. Eissfeldt, "Sinai," *RGG*³ 6:44: "Obwohl die Erinnerung an diese Vorgänge [am Sinai] in Israel immer wach geblieben ist, ist seit seiner Sesshaftwerdung in Kanaan die Verbindung mit dem S.[inai] schnell locker geworden."

38. Von Rad, *Problem*, 61: "Die Verschmelzung der Sinaitradition in die Landnahmeüberlieferung war das freie Wagnis des Jahwisten, an das man sich noch lange Zeiten darnach nicht gewöhnen konnte; erst um die Zeit des Exils ist diese Verbindung populär geworden"; see the critique by Perlitt, *Bundestheologie*, 159.

39. See Gertz, "Die Stellung," 30–45.

Sinai in the exodus story not only became “popular” in the time of the exile but also that this literary anchoring did not emerge much earlier than that.

In order to explore this point more closely, let us turn now to the presumably earliest body of texts in the Pentateuch that includes divine laws, the so-called Covenant Code. Its dating is, of course, contested, and its texts developed over a period of time. Nevertheless, its literary core probably presupposes the earliest prophetic books and transforms their social message into legal stipulations. Furthermore, it is presupposed by Deuteronomy, which reworks the Covenant Code in terms of a centralized cult, as Bill Morrow, Bernard Levinson, Eckart Otto, and others have shown.⁴⁰

26.6. The Process of Theologizing the Laws in the Covenant Code and Deuteronomy

Since the late 1990s, especially in the wake of Otto’s *Wandel der Rechtsbegründungen* and Ludger Schwienhorst-Schönberger’s dissertation, it has become fairly well accepted in scholarship that the so-called Covenant Code consists of earlier, smaller, and literarily independent law collections that include the stipulations on capital punishment in Exod 21:12–17, the stipulations on bodily injuries in 21:18–32, and the stipulations concerning various subjects in 21:33–22:14.⁴¹ Apparently these collections were not originally conceived as God’s law. This later conception of them resulted from their current textual frame of Exod 20:24–26 and 22:17–26, which are passages addressing the reader in the second-person and occasionally using the first-person of God. By contrast, the core passages of the

40. See, e.g., William S. Morrow, *Scribing the Center: Organization and Redaction in Deuteronomy 14:1–17:13*, SBLMS 49 (Atlanta: Scholars Press, 1995); Eckart Otto, *Das Deuteronomium: Politische Theologie und Rechtsreform in Juda und Assyrien*, BZAW 284 (Berlin: de Gruyter, 1999); Bernard M. Levinson, *Deuteronomy and the Hermeneutics of Legal Innovation* (New York: Oxford University Press, 1997).

41. Eckart Otto, *Wandel der Rechtsbegründungen in der Gesellschaftsgeschichte des Antiken Israel: Eine Rechtsgeschichte des “Bundesbuches”*; Ex XX,22–XXIII,13, StudBib 3 (Leiden: Brill, 1988); Ludger Schwienhorst-Schönberger, *Das Bundesbuch (Ex 20,22–23,33): Studien zu seiner Entstehung und Theologie*, BZAW 188 (Berlin: de Gruyter, 1990). For a different approach see Yu’ichi Osumi, *Die Kompositionsgeschichte des Bundesbuches Exodus 20,22b–23,33*, OBO 105 (Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 1991).

Covenant Code are in the third-person, and no divine speaker is apparent within them.⁴²

The addition of Exod 20:24–26 and 22:17–26 played a crucial role in the process of theologizing these laws.⁴³ Especially the first text, the so-called altar law, is important in terms of dating, since Deut 12 presupposes and reworks it, as Levinson and others have pointed out. Thus Deut 12 may serve as a *terminus ante quem* for Exod 20:24–26. The reinterpretation of the Covenant Code through its introduction by the altar law is,

42. “Das ‘Bundesbuch’ wurde aus kleineren, ursprünglich literarisch selbständigen Sammlungen redigiert, so einer Sammlung des gentilen Todesrechts in Ex 21,12–17..., einer Sammlung des Körperverletzungsrecht in Ex 21,18–32 sowie einer Sammlung des Sachenrechts in Ex 21,33–22,14. Diese Sammlungen aus der jüdischen Schreiber- und Richterausbildung der vorexilischen Zeit wurden in einer ersten priesterlich-theologischen Redaktion in Ex 20,24–22,26* unter dem Aspekt, JHWH als Königsgott sei Rechtsquelle und gnädiger Rechtshelfer der Armen, zu einem Programm eines von JHWH gegebenen Rechts zusammengefügt. Die sozialen Bruchlinien der jüdischen Gesellschaft wurden zum Einfallstor der Theologisierung des Rechts..., das nun auf den Gotteswillen als Rechtsquelle zurückgeführt wurde, nicht aber mehr wie im mesopotamischen Recht auf den König als den Repräsentanten des Staates. Mit der Theologisierung des Rechts im ‘Bundesbuch’ wird durch unmittelbare Rückführung auf JHWH einer zunächst noch kleinräumigen Rechtssammlung eine Bewegung in Gang gebracht, die mit der Unterstellung der gesamten Tora unter den Gotteswillen in nachexilischer Zeit zu ihrem Ziel kommt. Noch ist die Hermeneutik, die der Theologisierung des Rechts im ‘Bundesbuch’ zugrunde liegt, denkbar einfach, ergreift doch hier im Abschluss in Ex 22,17–26* und ihrem Anfang in Ex 20,24–26 mit dem Altargesetz JHWH selbst das Wort.” (Eckart Otto, *Deuteronomium 1,1–4,43*, HThKAT [Freiburg um Breisgau: Herder, 2012], 231–32). See also Otto, “Vom Profanrecht zum Gottesrecht: Das Bundesbuch,” *TRu* 56 (1991): 421–27.

43. On the addition of Exod 20:24–26, see Jan Joosten, “The Syntax of Exodus 20:24b: Remarks on a Recent Article by Benjamin Kilchör,” *BN* 159 (2013): 3–8; William Johnstone, “Exodus 20.24b: Linchpin of Pentateuchal Criticism or Just a Further Link between the Decalogue and the Book of the Covenant?,” in *Reflection and Refraction: Studies in Biblical Historiography in Honour of A. Graeme Auld*, ed. Robert Rezetko, Timothy H. Lim, and W. Brian Aucker, VTSup 113 (Leiden: Brill 2007), 207–22; Hans-Christoph Schmitt, “Das Altargesetz Ex 20,24–26 und seine redaktionsgeschichtlichen Bezüge,” in *Einen Altar von Erde mache mir...: Festschrift für Diethelm Conrad zu seinem 70. Geburtstag*, ed. Johannes F. Diehl, Reinhard Heitzenröder, and Markus Witte, Kleine Arbeiten zum Alten und Neuen Testament 4.5 (Waltrop: Spanner, 2003), 269–82. On the theologizing of the laws, see Rainer Albertz, “Die Theologisierung des Rechts im Alten Israel,” in *Geschichte und Theologie: Studien zur Exegese des Alten Testaments und zur Religionsgeschichte Israels*, BZAW 326 (Berlin: de Gruyter, 2003), 187–207.

therefore, a pre-Deuteronomic feature. Consequently, there is much to the proposal of Otto that the process of theologizing the law started already in the preexilic period. If one looks at Exod 22:17–26, this process seems especially to have been triggered by the need for care for poor and socially disadvantaged persons, a concern that, in turn, may have resulted from major socio-economic shifts in seventh-century Judah, perhaps including the fall of Samaria.⁴⁴ Because this care for the disadvantaged is usually the king's responsibility, it becomes immediately obvious that the divinization of these laws implies a critical stance toward Judean kingship.

The redactional technique used seems fairly elementary. The stipulations are formulated in the second-person singular, thus implying that God is the speaker. But by no means is it clear whether all second-person singular passages belong to the same literary layer. Consider, for example, Exod 22:17–26 [ET: 18–27]:

מכשפה לא תחיה כל שכב עם בהמה מות יומת זבח לאלהים יחרם בלתי ליהוה לבדו וגר לא־תונה ולא תלחצנו כי־גרים הייתם בארץ מצרים כל אלמנה ויתום לא תענון אם ענה תענה אתו כי אם צעק יצעק אלי שמע אשמע צעקתו וזכרה אפי והרגתי אתכם בחרב והיו נשיכם אלמנות ובניכם יתמים אם כסף תלוה את עמי את העני עמך לא תהיה לו כנשה לא תשימון עליו נשך אם חבל תחבל שלמת רעך עד בא השמש תשיבנו לו כי הוא כסותה לבדה הוא שמלתו לערו במה ישכב והיה כי יצעק אלי ושמעתי כי חנון אני

You shall not let live a sorceress. Whoever lies with an animal shall be put to death. Whoever sacrifices to any god, other than YHWH alone, shall be devoted to destruction. You shall not wrong or oppress a resident alien, for you were aliens in the land of Egypt. You shall not abuse any widow or orphan. If you do abuse them, when they cry out to me, I will surely heed their cry; my wrath will burn, and I will kill you with the sword, and your wives shall become widows and your children orphans. If you lend money to my people, to the poor among you, you shall not deal with them as a creditor; you shall not exact interest from them. If you take your neighbor's cloak in pawn, you shall restore it before the sun goes down; for it may be your neighbor's only clothing to use as cover; in what else shall that person sleep? And if he cries out to me, I will listen, for I am compassionate.

Some verses in this significant passage contain hints regarding the possible ideological backgrounds and origins of the introduction of the

44. See Rainer Kessler, *Staat und Gesellschaft im vorexilischen Juda: Vom 8. Jahrhundert bis zum Exil*, VTSup 47 (Leiden: Brill, 1992).

second-person voice of God. First, the opening passage in 22:17–18 (ET: 18–19) is conspicuous:

מכשפה לא תחיה כל שכב עם בהמה מות יומת

You shall not let live a sorceress. Whoever lies with an animal shall be put to death.

The prohibition of sodomy is formulated in the third person, the law regarding the sorceress in the second person. This might lead to the assumption that the religiously connotative regulation is more conducive to shaping as divine law than the sodomy case. But this assumption remains uncertain, especially because the prohibition in 22:19 [ET: 20] against sacrificing to gods other than YHWH is a third-person stipulation.

More conclusive is Exod 22:21–22, 25–26 [ET 22–23, 26–27] since God reveals himself here in the first person as the speaker of these laws that focus on widows, orphans, and the poor.⁴⁵ These verses apparently complement the existing traditional legal stipulations in the Covenant Code with the “ethical” notion of caring for those without legal protection, and for this reason they introduce God as the lawgiver.

כל אלמנה ויתום לא תענון אם ענה תענה אתו כי אם צעק יצעק אלי שמע אשמע
צעקתו...

אם חבל תחבל שלמת רעד עד בא השמש תשיבנו לו כי הוא כסותה לבדה הוא
שמלתו לערו במה ישכב והיה כי יצעק אלי ושמעתי כי חנון אני

You shall not abuse any widow or orphan. If you do abuse them, when they cry out to me, I will surely heed their cry...

If you take your neighbor's cloak in pawn, you shall restore it before the sun goes down; for it may be your neighbor's only clothing to use as cover; in what else shall that person sleep? And if he cries out to me, I will listen, for I am compassionate.

It is also discernible that these regulations' inclusion in the Covenant Code seems influenced by early prophetic tradition. What the prophets claimed as social justice, the Covenant Code stipulates as law.⁴⁶ For example, compare Amos 2:6–8 with the statement of divine law (in the second person) in Exod 22:24–26 [ET 25–27]:

45. Kratz, *Composition*, 142.

46. See J. Andrew Dearman, *Property Rights in the Eighth-Century Prophets*, SBLDS 106 (Atlanta: Scholars Press, 1988), 147–48.

Amos 2:6–8: Thus says the YHWH: For three transgressions of Israel, and for four, I will not revoke the punishment; because they sell the righteous for silver, and the needy for a pair of sandals—they who trample the head of the poor into the dust of the earth, and push the afflicted out of the way ... they lay themselves down beside every altar on garments taken in pledge; and in the house of their God they drink wine bought with fines they imposed.

Exod 22:24–26 [ET 25–27]: If you lend money to [one of] my people, to the poor among you, you shall not deal with them as a creditor; you shall not exact interest from them. If you take your neighbor's cloak in pawn, you shall restore it before the sun goes down; for it may be your neighbor's only clothing to use as cover; in what else shall that person sleep? And if your neighbor cries out to me, I will listen, for I am compassionate.

The case of Deuteronomy is especially complicated because of its Mosaic outlook. The book's laws are now presented as Mosaic laws, which presupposes the Deuteronomic law's narrative embedding within the great exodus-Sinai story.⁴⁷ In his farewell speech in the Transjordan, Moses promulgates the laws that he received from God beforehand on Mount Sinai and, in a complex hermeneutical procedure, the readers of Deuteronomy are identified with the exodus generation whom Moses addresses in Deut 5. As mentioned already, this shaping is probably not original to the laws of Deuteronomy. As Lohfink has pointed out, especially Deut 6:17 and Deut 28:45 conceptualize the laws of Deuteronomy explicitly as God's laws, which supports the assumption that the portrayal of Moses as promulgating Deuteronomy's laws has resulted from a reworking of the text.

ובאו עליך כל הקללות האלה ורדפוּך והשיגוך עד השמדך כי לא שמעת בקול יהוה
אלהיך לשמר מצותיו וחקתיו אשר צוּך

All these curses shall come upon you, pursuing and overtaking you until you are destroyed, because you did not obey YHWH your God, by keeping the commandments and the decrees that he commanded you. (Deut 28:45)

שמור תשמרון את מצות יהוה אלהיכם ועדתיו וחקיו אשר צוּך

You must diligently keep the commandments of YHWH your God, and his decrees, and his statutes that he has commanded you. (Deut 6:17)

47. According to Kratz, "Der literarische Ort," 101–20, there never was a literary independent Deuteronomy detached from the exodus story.

Thus, Moses as the legislator or at least the mediator of the law is not an original feature of Deuteronomy but instead resulted from its redactional mediation with the Sinai legislation once the Deuteronomic law had become part of the large story of Israel's exodus from Egypt, which included the legislation at Mount Sinai. Altogether, then, Deuteronomy attests to the notion of divine law giving from the outset, probably as a result of its taking up this concept from the reworked and still preexilic Covenant Code.

26.7. Tradition-Historical and Literary-Historical Precursors to God as Lawgiver in the Hebrew Bible

What were the basic historical factors that triggered the notion of divine law in the Hebrew Bible? Especially Otto has convincingly argued that the origins of this process arose from the experience of social injustice in Israelite and Judean society during the late eighth and early seventh centuries.⁴⁸ In addition, some more indirect factors might have played a role as well. I will name four factors, at least two of which are intertwined with each other.

First, legal jurisdiction in ancient Israel and Judah was traditionally distant from the institution of kingship, as Hans-Jochen Boecker, for example, has pointed out.⁴⁹ The family and the eldest son were in charge of most affairs. We do not even have a clear regulation that crimes involving a capital punishment had to be decided by the king, as was the case in Mesopotamia.

Second, one must take into account the solarization of God that took place once he became affiliated with Jerusalem, as Othmar Keel has argued.⁵⁰ It is less certain whether 1 Kgs 8:12 suggests that YHWH

48. Otto, *Wandel der Rechtsbegründungen*, 69–71.

49. Hans-Jochen Boecker, "Überlegungen zur sogenannten Familiengerichtbarkeit in der Frühgeschichte Israels," in *Recht und Ethos im Alten Testament: Gestalt und Wirkung: Festschrift für Horst Seebass zum 65. Geburtstag*, ed. Stefan Beyerle, Günter Mayer, and Hans Strauss (Neukirchen-Vluyn: Neukirchener Verlag, 1999), 3–9. See also Eckart Otto, "Zivile Funktionen des Stadttore in Palästina und Mesopotamien," in *Altorientalische und biblische Rechtsgeschichte: Gesammelte Studien*, BZABR 8 (Wiesbaden: Harrassowitz, 2008), 519–30.

50. Othmar Keel, "Der salomonische Tempelweihspruch: Beobachtungen zum religionsgeschichtlichen Kontext des Ersten Jerusalemer Tempels," in *Gottteststadt und Gottesgarten: Zur Geschichte und Theologie des Jerusalemer Tempels*, ed. Othmar

replaced the pre-Yahwistic sun god in the temple.⁵¹ Be this as it may, Jerusalem traditionally maintained close ties with the cult of the sun, as the name of the city itself suggests. The prominence of solar worship in Jerusalem had an impact on the development of preexilic Yahwism in Jerusalem. Why is this issue important for our question? The sun god is traditionally responsible for supervising the laws and passing them on to the kings, as we can recall from the stela of Hammurabi.⁵² Accordingly, the solarization of YHWH meant bringing him into an intimate connection with the fields of law and justice.

This close connection is observable in texts such as the following:

יהוה צדיק בקרבה לא יעשה עולה בבקר בבקר משפטו יתן לאור לא נעדר ולא
יודע עול בשת

YHWH within her [Jerusalem] is righteous; he does no wrong. Every morning he renders his judgment, each dawn without fail; but the unjust knows no shame. (Zeph 3:5)

God's righteousness is affiliated both with Jerusalem and the rising of the sun in the morning, a topic that Bernd Janowski has dealt with extensively.⁵³

Keel and Erich Zenger, QD 191 (Freiburg im Breisgau: Herder, 2002), 9–23; Keel, *Die Geschichte Jerusalems*; Keel, "Sonne der Gerechtigkeit: Jerusalemer Traditionen vom Sonnen- und Richtergott," *BK* 63 (2008): 215–18.

51. Cf. Friedhelm Hartenstein, "Sonnengott und Wettergott in Jerusalem? Religionsgeschichtliche Beobachtungen zum Tempelweihspruch Salomos im masoretischen Text und in der LXX (1 Kön 8,12f // 3Reg 8,53)," in *Mein Haus wird ein Bethaus für alle Völker genannt werden* (Jes 56,7): *Judentum seit der Zeit des Zweiten Tempels in Geschichte, Literatur und Kult; Festschrift für Thomas Willi zum 65. Geburtstag*, ed. Julia Männchen (Neukirchen-Vluyn: Neukirchener Verlag, 2007), 53–69; Martin Rösel, "Salomo und die Sonne: Zur Rekonstruktion des Tempelweihspruchs I Reg 8,12f.," *ZAW* 121 (2009): 402–17. See the rebuttal by Othmar Keel, "Minima methodica und die Sonnengottheit von Jerusalem," in *Iconography and Biblical Studies: Proceedings of the Iconography Sessions at the Joint EABS/SBL Conference, 22–26 July 2007, Vienna, Austria*, ed. Izaak J. de Hulster and Rüdiger Schmitt, AOAT 361 (Münster: Ugarit-Verlag, 2009), 213–23.

52. See Gabriele Elsen-Novák and Mirko Novák, "Der 'König der Gerechtigkeit': Zur Ikonologie und Teleologie des 'Codex' Hammurapi," *BaM* 37 (2006): 131–55.

53. Cf. Bernd Janowski, *Rettungsgewissheit und Epiphanie des Heils: Das Motiv der "Hilfe Gottes am Morgen" im Alten Orient und im Alten Testament*, WMANT 59 (Neukirchen-Vluyn: Neukirchener Verlag, 1989); Janowski, "JHWH und der Sonnengott: Aspekte der Solarisierung JHWHs in vorexilischer Zeit," in *Pluralismus und Identität*, ed. Joachim Mehlhausen, VWGTh 8 (Gütersloh: Kaiser, Gütersloher 1995), 214–41.

על כן חצבתי בנביאים הרגתים באמרי פי ומשפטיך אור יצא

Therefore I have hewn them by the prophets, I have killed them by the words of my mouth, and my judgment goes forth as the light. (Hos 6:5)

God's enemies are eliminated by his words, and his judgment is compared to the sunlight. Of course, these texts do not yet advance the notion of God as a lawgiver. Here, God is both a judge and an executioner, but these texts are not far removed from the notion of divine legislation. Therefore, part of the background of portraying the biblical God as a legislator is to be found in the solar substratum of Jerusalem's religious history.

Third, and probably linked closely with this topic of solar imagery, is the notion of Jerusalem and Zion as city of justice. Isaiah 1:21–26 is a traditional piece at the beginning of the book of Isaiah that clearly exhibits this conception of Jerusalem as a “just” city.⁵⁴

איכה היתה לזונה קריה נאמנה מלאתי משפט צדק ילין בה ועתה מרצחים

How the faithful city has become a whore! She that was full of justice, righteousness lodged in her—but now murderers! (Isa 1:21)

As YHWH resides in Jerusalem, he is the city's God, which is likewise reflected in the manifold identifications of Jerusalem as God's wife. God's close connection to Zion-Jerusalem, the city of justice, represents another important root of the intellectual development that eventually resulted in the notion of divine laws in the Covenant Code's literary frame and in Deuteronomy. Especially important is the mountain symbolism traditionally associated with Zion. Consider Ps 48:11–12 [ET 10–11] as an example.

כשםך אלהים כן תהלתך על קצוי ארץ צדק מלאה ימינך ישמח הר ציון תגלנה
בנות יהודה למען משפטיך

Your name, O God, like your praise, reaches to the ends of the earth.
Your right hand is filled with victory. Let Mount Zion be glad, let the towns of Judah rejoice because of your judgments.

Apparently, in the wake of the fall of Jerusalem, the notion of YHWH as the God in charge of justice on Mount Zion was transformed into the con-

54. See Odil H. Steck, “Zur konzentrischen Anlage von Jes 1,21–26,” in *Auf den Spuren der schriftgelehrten Weisen: Festschrift für Johannes Marböck anlässlich seiner Emeritierung*, ed. Irmtraud Fischer, BZAW 331 (Berlin: de Gruyter, 2003), 97–103; Konrad Schmid, *Jesaja 1–23*, ZBK 19.1 (Zurich: TVZ, 2011), 56–58.

cept of the divine legislator on Mount Sinai. That is not to suggest that Mount Sinai is merely the invention of exilic authors. Mount Sinai seems to be a traditional element of the religious history of early Yahwism, as texts such as Hab 3, Judg 5, Ps 68, or Deut 33 suggest. But as Wellhausen observed, Sinai's original function was not as the venue of law giving. We may therefore assume that, after the fall of Jerusalem, the Sinai tradition became increasingly important, especially by and in the wake of the Priestly document's location of the original sanctuary at Sinai.⁵⁵

Fourth, one should adduce the impact of the Neo-Assyrian vassal treaties on Deuteronomy and the corresponding reworking of the Covenant Code in both form and content.⁵⁶ As is well known, Deuteronomy seems to have been shaped according to a Neo-Assyrian vassal treaty, but the role of God in Deuteronomy is entirely different from the role of the gods in the vassal treaties who serve as witnesses and guardians of these treaties.

God as a partner of the treaty is an innovation of Deuteronomy's literary core—and as a partner in such a treaty, specifically as the superior partner, he is a lawgiver as well. This concept was potentially inspired by what may have been an earlier development within the Covenant Code, triggered especially by the experience of social injustice. But since Deuteronomy shows the same concern for socially disadvantaged people, the two developments may belong more closely together. However, this issue seems impossible to decide.

One aspect of the reception of vassal treaties has been underestimated so far: the fact that the treaties are succession treaties.⁵⁷ They ensure that

55. On the notion of Sinai as desert and mountain in P, see Konrad Schmid, "Sinai in the Priestly Document," ch. 25 in this volume.

56. Hans-Ulrich Steymans, *Deuteronomium 28 und die adē zur Thronfolgeregelung Asarhaddons: Segen und Fluch im Alten Orient und in Israel*, OBO 145 (Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 1995); Steymans, "Eine assyrische Vorlage für Deuteronomium 28,20–44," in *Bundesdokument und Gesetz: Studien zum Deuteronomium*, ed. Georg Braulik, HBS 4 (Freiburg im Breisgau: Herder, 1995), 119–41; Eckart Otto, "Treueid und Gesetz: Die Ursprünge des Deuteronomiums im Horizont neuassyrischen Vertragsrechts," *ZABR* 2 (1996): 1–52; Otto, *Das Deuteronomium*; Otto, "Assyria and Judean Identity: Beyond the *Religionsgeschichtliche Schule*," in *Literature as Politics, Politics as Literature: Essays on the Ancient Near East in Honor of Peter Machinist*, ed. David S. Vanderhooft and Abraham Winitzer (Winona Lake, IN: Eisenbrauns, 2013), 339–47, esp. 345.

57. Hans-Ulrich Steymans, "Die literarische und historische Bedeutung der

those whom Esarhaddon has subdued will be loyal to his successor. If the topic of succession was crucial for these treaties, it must have played a role as well in the reception of these texts in Deuteronomy. Levinson and Stackert have proposed that we parallel the process in Deuteronomy of legal exegesis on the Covenant Code with Assurbanipal's succession of Esarhaddon:⁵⁸

The Assyrian rulers—predecessor and successor—are analogized to Israelite law—old and new. Just as the retiring ruler is succeeded by the crown prince designate, so too is the existing law collection succeeded by a new law. This correlation between EST [Esarhaddon Succession Treaty] and Deuteronomy is illustrated in the following diagram:

<i>Text</i>	<i>Predecessor Rule</i>	<i>Successor Rule</i>
EST	Esarhaddon	Assurbanipal
Deuteronomy	Covenant Code	Deuteronomic Law

This proposal is interesting, but it might be too bold. I could rather imagine that the succession topic belongs closer to the introduction of God as lawgiver in the Covenant Code and Deuteronomy, maybe especially reflecting the loss of kingdom and statehood in 720 BCE.

After the fall of Samaria, the postmonarchic situation in the north led to a need for a medium to replace the king in order to ensure the identity of the people. I would therefore propose that the succession question is addressed in the Covenant Code and Deuteronomy, where God is Israel's eternal king and where, by means of his laws, his people are attached to him as their current and future suzerain.⁵⁹

Thronfolgevereidigung Asarhaddons," in *Die deuteronomistischen Geschichtswerke: Redaktions- und religionsgeschichtliche Perspektiven zur "Deuteronomismus"-Diskussion in Tora und Vorderen Propheten*, ed. Jan C. Gertz et al., BZAW 365 (Berlin: de Gruyter, 2006), 331–49.

58. Bernard M. Levinson and Jeffrey Stackert, "Between the Covenant Code and Esarhaddon's Succession Treaty: Deuteronomy 13 and the Composition of Deuteronomy," *JAJ* 3 (2012): 138.

59. In addition, it would be worthwhile investigating whether there is any influence from Spartan and early Roman law traditions, especially regarding the notion of normativity. See Alan Watson, *Laws of the Ancient Romans* (Dallas: Southern Methodist University Press, 1970); Douglas M. MacDowell, ed., *Spartan Law* (Edinburgh:

Of course, the topic of legal exegesis remains crucial in this respect as well. The rise of legal exegesis is one of the most important consequences of the divinization of the law. The reason for that development is obvious: a divine law cannot be simply changed. Once it is there, it can only be altered by means of legal exegesis. As Jean-Louis Ska put it, "the Law was of divine origin, and its validity was therefore 'permanent'; it could not be abrogated. Consequently, a 'new law' was considered to be a form of an old law. It was both identical and different. In practical terms, only a new 'updated' formulation was valid."⁶⁰

26.8. Israel and Judah's Law in the Persian Period and God as Their Lawgiver

Finally, a specific process in the Persian period deserves mention, a process definitely responsible for establishing the concept of divine law in ancient Israel and Judah: the rise of the Pentateuch as Torah. Whether or not this development must be explained by means of a Persian imperialization of the Pentateuch is not of major significance here, even though I do lean toward this explanation.⁶¹ What is to be pointed out is that, by establishing the Pentateuch as Torah, this law as God's law seems to serve as the functional equivalent of the king's law, which is what Ezra 7:12, for example, suggests.⁶² This Persian-period establishment of the Torah as

Scottish Academic, 1986); Ernst Baltrusch, *Sparta: Geschichte, Gesellschaft, Kultur* (Munich: Beck, 1998).

60. Ska, *Introduction to Reading*, 52.

61. See Konrad Schmid, "The Persian Imperial Authorization as Historical Problem and as Biblical Construct: A Plea for Differentiations in the Current Debate," ch. 11 in this volume.

62. Jan Assmann, *Fünf Stufen auf dem Wege zum Kanon: Tradition und Schriftkultur im frühen Judentum und seiner Umwelt*, Münstersche theologische Vorträge 1 (Münster: LIT, 1999), 17: "Where there is a king, then one of his main tasks concerns issuing and implementing laws, so one does not need a legal code. On the other hand, this would limit the legislative ability of the king to an inordinate degree. The legal code therefore replaces the king to a certain degree. And this is exactly the point. The Torah takes the place of ancient Near Eastern monarchic justice. It does not write the judicial knowledge but rather the royal power that is codified on the basis of this authoritative claim as the word of God." ("Wo es einen König gibt, zu dessen Hauptaufgaben es gehört, Gesetze zu erlassen und in Kraft zu setzen, braucht man kein Gesetzbuch; im Gegenteil: das würde die legislative Kompetenz des Königs in ungebührlicher Weise einschränken. Das Gesetzbuch ersetzt daher in gewisser Weise den König. Und genau

both divine and as the official law of the Jews probably fueled clashes with later empires, especially the Romans, who did not respect the kind of loyalty the Jews had for their God-given law.⁶³

dies ist der Punkt. Die Torah tritt an die Stelle des altorientalischen Rechtskönigtums. Sie verschriftet nicht das juristische Wissen, sondern das königliche Machtwort, das aufgrund dieses autoritativen Anspruchs als Wort Gottes kodifiziert wird”).

63. See Ernst Baltrusch, *Die Juden und das Römische Reich: Geschichte einer konfliktreichen Beziehung* (Darmstadt: Wissenschaftliche Buchgesellschaft, 2002).

Collective Guilt?

The Concept of Overarching Guilt Relationships in the Hebrew Bible and in the Ancient Near East

Over the course of the Nuremberg trials in 1946–1949, the question of possible collective guilt was discussed in various contexts. However, apart from the identification of the criminal character of specific organizations such as the Gestapo and the SS, the charge of collective guilt was generally rejected. Further, in the cases of the Gestapo and the SS, it was actually refined: The “court [should] make the declaration that an organization is criminal as much as possible in such a way that it guarantees that innocent persons will not be punished.”¹ The judges of the Nuremberg International Military Court thereby fundamentally sided with the viewpoint “that penal guilt [is] personal,” and primarily the defense repeatedly raised the objection that the accusation of collective guilt would amount to a relapse into archaic thinking.

For example, Hans Laternser, the counsel for the defense of the general staff and the high command of the armed forces, inquired: “Should modernity so easily throw overboard what has functioned as a fundamental legal principle [the principle of personal guilt] for more than 2,000 years?”² One should desist from accusations of collective guilt because

1. Internationaler Militärgerichtshof, *Der Prozess gegen die Hauptkriegsverbrecher vor dem Internationalen Militärgerichtshof Nürnberg: Amtlicher Wortlaut in Deutscher Sprache* (Nürnberg: Internationaler Militärgerichtshof, 1947), 22:568 (citation from Friedrich W. Rothenpieler, *Der Gedanke einer Kollektivschuld in juristischer Sicht*, Schriften zur Rechtslehre 99, [Berlin: Duncker & Humblot, 1982], 163). Unless otherwise noted, all translations are mine.

2. Militärgerichtshof, *Der Prozess gegen*, 12:68.

they violate the essential legal accomplishment in criminal law of personal responsibility and would signify a relapse into barbarism.

One might be able to reach unanimity quickly about the very problematic nature, even absurd, in a certain sense, of collective guilt from a judicial perspective.³ Even the terminology of collective guilt itself is recent, although the thing itself is nothing new; Hermann Lübbe declared it a moral and judicial “nonterm.”⁴

In fact, if collective guilt means guilt as a supraindividual entity that is not simply the collection of the guilt of its members, then it is evident that at least a part of them are innocent from a personal point of view. Otherwise, it would be unnecessary to speak of collective guilt. However, in this case, the question arises—at least for a modern consciousness—whether it is meaningful to maintain the notion of guilt. Can a collective be guilty at all, especially when this likewise paradoxical definition of guilt implies innocence? The classics of modern intellectual history maintain an unequivocally negative answer. Immanuel Kant’s writing on religion conceives of guilt in such a way that emphasizes it as “the most completely personal” entity.⁵ At the latest since Friedrich C. von Savigny, the tenet has become common in jurisprudence that only natural persons are capable of committing crimes: *societas delinquere non potest* (“society cannot commit a crime”).⁶

The notion that early cultures from the pre-Christian era should have seen matters in a completely different manner—one usually has tribal societies in mind—is a widely disseminated but by no means accurate preconception.⁷ The view that the beginnings of the history of criminal

3. Nevertheless, neither is modern international law completely free of provisions that envisage a certain amount of collective responsibility, especially worthy of mention are the elements of the sanction and reprisal; see Stefan Kadelbach, “Kollektivhaftung im Völkerrecht,” *Rechtshistorisches Journal* 16 (1997): 673–80.

4. Hermann Lübbe, “Kollektivschuld: Funktionen eines moralischen und juristischen Unbegriffs,” *Rechtshistorisches Journal* 16 (1981): 687–95: “Unbegriff.”

5. Immanuel Kant, “Die Religion innerhalb der Grenzen der blossen Vernunft,” in *Schriften zur Ethik und Religionsphilosophie*, vol. 7 of *Werke in zehn Bänden*, ed. Wilhelm Weischedel (Darmstadt: Wissenschaftliche Buchgesellschaft, 1968), 726.

6. Friedrich C. von Savigny, *System des heutigen Römischen Rechts* (Berlin: Veit, 1840), 2:312–13.

7. This prejudice survives into the relevant dictionary articles, even though the broad view of the material does not exactly support it. See Gerhard Ries, “Kollektivhaftung,” *RLA* 6:183: “The c[ollective responsibility] resulting from family soli-

law were marked by collective liability can by justifiably doubted as the following examples from the ancient Near East and ancient Israel will demonstrate. This does not mean that these cultures were unfamiliar with the notion of collective guilt. The contrary is true, but one generally encounters it outside the context of the law collections.⁸ Where is this the case and why is it this way?

The following reflections are structured into four sections. A short history of scholarship forms the entry point (§27.1). This will be followed by inquiry into stipulations from ancient Near Eastern and Hebrew Bible legal literature that extend the threat of punishment beyond the perpetrator to include other people in their surroundings (§27.2). A third section turns to texts outside the legal literature that address connections of guilt reaching through the generations (§27.3). A short summary with an evaluation forms the conclusion (§27.4).

darity is demonstrable since the beginnings of ancient Near Eastern law. There is a certain tendency to limit it in favor of individual responsibility recognizable over the course of ancient Near Eastern history; however, it seems never to have been completely eliminated." ("Die aus der Familienzusammengehörigkeit resultierende K[ollektivhaftung] ist seit den Anfängen der altoriental. Rechte nachweisbar. Eine gewisse Tendenz zu ihrer Einschränkung zugunsten der Individualhaftung ist im Verlauf der altoriental. Geschichte erkennbar; vollständig beseitigt scheint sie jedoch zu keiner Zeit zu sein"). Nevertheless, at the same time, Ries states (184): "Juxtaposed to the outlined extrajudicial familial c[ollective responsibility], which includes members of the family in the broadest and most general sense, all legal provisions describe the concrete liability of the particular family member. The undifferentiated liability for the entire family is therefore only attested in the sacral and political sphere" ("Gegenüber der geschilderten ausserrechtlichen K[ollektivhaftung] der Familie, die Familienmitglieder im weitesten Sinne und meist generell einbezieht, ist in allen Gesetzesbestimmungen das jeweils haftende Familienmitglied konkret beschrieben. Die undifferenzierte Haftung der Gesamtfamilie ist somit nur im sakralen und politischen Bereich bezeugt"). "Other than the above-mentioned Neo-Sumerian legal documents [on these, see n. 38, below], documents on familial c[ollective responsibility] are not extant from legal practice ("Ausser den erwähnten neusum. Gerichtsurkunden sind Dokumente zur familiären K[ollektivhaftung] aus der Rechtspraxis nicht erhalten") (185).

8. In this main feature, antiquity agrees with modernity: the terminology and issue of collective guilt hardly play a role in modern juridical literature, but there are numerous treatments of collective guilt in twentieth-century fiction; see the material in Anselm Hertz et al., eds., *Aktualisierte Neuausgabe*, vol. 3 of *Handbuch der christlichen Ethik* (Freiburg im Breisgau, Herder, 1993), 140–45 (here by Johannes Gründel).

27.1. Introductory Reflections on the History of Scholarship

Primarily earlier, but also still in part more recent scholarly literature on ancient Israelite legal history attests to a widespread view of the development from an archaic conception of collective responsibility to the more recent, now refined principle of individual responsibility. One can see collective liability as a “legacy of the wilderness period.”⁹ In Walther Eichrodt one reads: “The collective responsibility of the tribe belongs with this close connection of the individual to the community for the offense of one of its members as well as the advocacy of the tribe for a member injured by an outsider as part of the basic principles of the concept of justice.”¹⁰ Still in the 1994 Deuteronomy commentary by Martin Rose, the “early period ... is marked by the prevalence of collective responsibility.”¹¹

The replacement of collective by individual retribution is generally seen in Ezekiel. One can read in Bernard Stade a statement that represents many other, also more recent authors: “The belief in individualistic retribution in Judaism is one of the effects of prophetic preaching.... It goes back to Ezekiel, who ... first formulated it.”¹² Cited here is primarily the

9. Alfred Bertholet, *Kulturgeschichte Israels* (Göttingen: Vandenhoeck & Ruprecht, 1919), 202; see also Hermann Gunkel, “Individualismus II. Individualismus und Sozialismus im AT,” *RGG* 3:234–39.

10. Walther Eichrodt, *Theologie des Alten Testaments* 2/3, 4th ed. (Stuttgart: Klotz, 1961), 158: “Bei dieser engen Verbindung des einzelnen mit der Gemeinschaft gehört die Kollektivhaftung des Stammes für die Vergehen seiner Glieder ebenso wie das Eintreten des Stammes für ein von Fremden verletztes Glied zu den Grundprinzipien der Rechtsauffassung.” Cf. Carl Steuernagel, *Das Deuteronomium*, 2nd ed., HKAT 1.3.1 (Göttingen: Vandenhoeck & Ruprecht, 1923), 140–41: “In ancient Israel, in connection with the view that the individual was only a member of the social organism to which he belonged, punishment was generally executed not only upon the guilty, but on his entire family” (“Im alten Israel wurde im Zusammenhang mit der Anschauung, dass der Einzelne nur ein Glied des sozialen Organismus ist, dem er angehört, die Strafe in der Regel nicht nur am Schuldigen, sondern an seiner ganzen Familie vollstreckt”).

11. Martin Rose, *5. Mose Teilband 1: 5. Mose 12–25; Einführung und Gesetze*, ZBK 5.1 (Zurich: TVZ 1994), 274: “frühe Zeit ... vom Vorherrschen der Kollektivverantwortung geprägt.” See also in general the presentation by Josef Scharbert, *Väterfluch und Vätersegen*, in vol. 1 of *Solidarität in Segen und Fluch im Alten Testament und in seiner Umwelt*, BBB 14 (Bonn: Hanstein, 1958), 2–3 n. 7.

12. Bernhard Stade, *Die Religion Israels und die Entstehung des Judentums*, vol. 1 of *Biblische Theologie des Alten Testaments* (Tübingen: Mohr, 1905), 285: “Der indi-

proverb assimilated in Ezek 18:2 (cf. Jer 31:29) that the fathers have eaten sour grapes and the children's teeth are set on edge, which Ezek 18 vehemently combats.

Nevertheless, two foundational observations oppose this view that collective liability dominated until Ezekiel and was afterward replaced by individual liability. These observations have been known for a long time and have received numerous mentions in recent times.¹³

First, as far back as one can look into the codified penal law in the ancient Near East, there is hardly any attestation of collective liability. Not only for the Hebrew Bible, but also for the ancient Near Eastern legal literature, which reaches back significantly further historically, one encounters serious difficulties when attempting to corroborate penal stipulations that extend the liability of a deed beyond the perpetrator to their family, clan, or some other collective. There are only a few legal statements that allow for consideration of collective liability, but they are, as will be demonstrated, intended differently.

A second observation that opposes the view of the replacement of collective liability by individual liability at the time of Ezekiel concerns the fact that, outside its legal literature, the Hebrew Bible contains a series of

vidualistische Vergeltungsglaube des Judentums ist eine der Wirkungen der prophetischen Predigt. ... Er geht auf Ezechiel zurück, der ihn ... zuerst formuliert hat"; see also 287: "The old conception of inherited guilt that Ezekiel attempts to evade indeed asserted itself in Judaism parallel to Ezekiel's thought, condensing in the laws in Exod 20:5; 34:7; Num 14:18; Deut 5:9" ("Die alte Vorstellung von der Erbschuld, der Ezechiel zu entgehen sucht, hat sich freilich im Judentum neben Ezechiels Gedanken behauptet, ja sich im Gesetze niedergeschlagen Ex 20,5 34,7 Nu 14,18 Dt 5,9"). The replacement of "the old conception of the inherited punishment for the sins of the father" ("der alten Vorstellung von der für die Sünde der Väter ererbten Strafe") is also located in Ezekiel by Ernst Sellin (*Israelitisch-jüdische Religionsgeschichte* [Leipzig: Quelle & Meyer, 1933], 90). See further Hermann Gunkel, "Individualismus," 238; Alfred Bertholet, *Deuteronomium*, KHC 5 (Freiburg im Breisgau: Mohr, 1899), 76; Ludwig Köhler, *Theologie des Alten Testaments*, 3rd ed. (Tübingen: Mohr, 1953), 150; Jan Assmann, *Maat: Gerechtigkeit und Unsterblichkeit im Alten Ägypten* (Munich: Beck, 1990), 149.

13. See, e.g., Christoph Levin, *Die Verheissung des neuen Bundes in ihrem theologisch-geschichtlichen Zusammenhang ausgelegt*, FRLANT 137 (Göttingen: Vandenhoeck & Ruprecht, 1985), 40–46, as well as Joel S. Kaminsky, *Corporate Responsibility in the Hebrew Bible*, JSOTSup 196 (Sheffield: Sheffield Academic, 1995), going, however, in a different direction.

declarations that speak of intergenerational guilt.¹⁴ These very statements, even if one judges cautiously, in no way belong only to the earliest strata of the texts of the Hebrew Bible. One still finds them in chapters such as Isa 65, Dan 9, and Neh 9, which belong near the conclusion of the Hebrew Bible's formation history; in any case, everyone would agree, they are not earlier than Ezek 18.

The simple model that the earlier period of the Hebrew Bible was marked by collective thinking in the legal sphere but this was then overcome by Ezekiel can, therefore, hardly be maintained. On the basis of the above-mentioned observations, one could even deduce the opposite process: it appears that something like collective guilt first emerged in the late period. However, even this consideration, which simply turns the old undifferentiated view on its head, does not prove satisfactory, for it would remain just as undifferentiated. One must take a closer look.

27.2. Is There Collective Liability in Ancient Israelite and Ancient Near Eastern Penal Law?

I turn first to the penal stipulations that could allow one to surmise collective liability. The evidence here is exceptionally clear: penal law in the Hebrew Bible does not have a single legal statement that reckons with collective liability. Already the Covenant Code, most likely the earliest legal collection of the Hebrew Bible,¹⁵ shows awareness only of penal provisions

14. See the material in Max Löhr, *Sozialismus und Individualismus im Alten Testament: Ein Beitrag zur alttestamentlichen Religionsgeschichte*, BZAW 10 (Giessen: Töpelmann, 1906); Rolf Knierim, *Die Hauptbegriffe für Sünde im Alten Testament*, 2nd ed. (Gütersloh: Mohn, 1967), 97–111; Robert Koch, *Die Sünde im Alten Testament* (Frankfurt am Main: Lang, 1992), 90–108; Kaminsky, *Responsibility*.

15. On the Covenant Code see Eckart Otto, *Wandel der Rechtsbegründungen in der Gesellschaftsgeschichte des Antiken Israel: Eine Rechtsgeschichte des "Bundesbuches"*; Ex XX 22–XXIII 13, StudBib 3 (Leiden: Brill, 1988); Otto, *Rechtsgeschichte der Redaktionen im Kodex Ešnunna und im "Bundesbuch": Eine redaktionsgeschichtliche und rechtsvergleichende Studie zu altbabylonischen und altisraelitischen Rechtsüberlieferungen*, OBO 85 (Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 1989); Yu'ichi Osumi, *Die Kompositionsgeschichte des Bundesbuches Exodus 20,22b–23,33*, OBO 105 (Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 1991); Ludger Schwienhorst-Schönberger, *Das Bundesbuch (Ex 20,22–23,33): Studien zu seiner Entstehung und Theologie*, BZAW 188 (Berlin: de Gruyter, 1990); Cornelis Houtman, *Das Bundesbuch: Ein Kommentar*, DMOA 24 (Leiden: Brill,

for the responsible perpetrator alone. Not even the stipulations in the Hebrew Bible on blood revenge—worthy of mention are Exod 21:12–13; Num 35:16–29; and Deut 19:1–13—provide any impulse here. They exclusively concern the actual killer, never those belonging to the tribe:¹⁶ if the killer cannot be determined, then the suspected tribe is not liable. A substitutionary ritual takes place instead (Deut 21:1–9).

In prestate societies, which *eo ipso* do not have codified penal law, blood revenge actually does also seem to extend to people beyond the perpetrator.¹⁷ Methodologically speaking, however, there is a problem with the institution of blood revenge that should not be underestimated: one is primarily reliant on extrapolations that have not left any sources behind in the relevant societies of the ancient Near East. However, certainly wrong is the caricature that Gressmann still draws in *RGG*²: “Whether the guilty are punished or not is immaterial; if one cannot catch them, then one catches someone else from their tribe, often just an arbitrary person, so that also bystanders of the tribe are drawn in.”¹⁸ Judging from the view of

1997); and on it see Eckart Otto, review of *Das Bundesbuch: Ein Kommentar*, by Cornelis Houtman, *Bib* 79 (1998): 414–17; see also the bibliography in Adrian Schenker, “Die Analyse der Intentionalität im Bundesbuch (Ex 21–23),” *ZABR* 4 (1998): 209–10 n. 2 (also published in *JNSL* 24 [1998]: 1–12).

16. See Fritz Stolz, “Rache,” *TRE* 29:85. Programmatically already Julius Wellhausen: “As far as we can push back historically, blood revenge has already been domesticized by law and captured in law. ... [on Exod 21:12–13; Deut 19:1–13] Blood feuds, however, do not occur” (“Soweit wir aber geschichtlich vordringen können, ist die Blutrache schon domestiziert durch das Recht und in das Recht eingefangen. ... Blutfehde aber findet nicht statt”) (“Arabisch-Israelitisch,” in *Zum ältesten Strafrecht der Kulturvölker: Fragen zur Rechtsvergleichung*, ed. Theodor Mommsen [Leipzig: Duncker & Humblot, 1905], 93–94); see also Johannes Hempel, *Das Ethos des Alten Testaments*, 2nd ed., *BZAW* 67 (Berlin: de Gruyter, 1963), 47. One can also compare §49 of the Telipinu Decree (Inge Hoffmann, *Der Erlass Telipinus*, *THeth* 11 [Heidelberg: Winter, 1984], 53), who limits blood revenge to the perpetrator and entrusts it to the “lords of blood” rather than demanding the death of the perpetrator as compensation (see also n. 27, below).

17. On blood revenge see Erwin Merz, *Die Blutrache bei den Israeliten*, *BWAT* 20 (Leipzig: Hinrichs, 1916); Scharbert, *Väterfluch und Vätersegen*, 91–100; Karl H. Singer, *Alttestamentliche Blutrachepraxis im Vergleich mit der Ausübung der Blutrache in der Türkei: Ein kultur- und rechtshistorischer Vergleich*, *EHS.T* 509 (Frankfurt am Main: Lang, 1994); Singer, “Blutrache,” *RGG* 1:1654–55.

18. Hugo Gressmann, “Blutrache,” *RGG*² 1:1159: “Ob der Schuldige bestraft wird, ist gleichgültig; kann man ihn nicht treffen, so trifft man einen anderen seiner Sippe, ja oft überhaupt einen Beliebigen, so dass auch unbeteiligte Sippen mit hereingezogen werden.”

the Arabic parallels, one would meticulously guard against this possibility and conclude the opposite with regard to involving indifferent, additional collectives in a blood feud, which would escalate it in an uncontrollable manner. Blood revenge does not generally appear to be conceived as violent excess but rather as a structural instrument defined more by strict rules for the containment of violence, a regulative entity in societies not structured as states. The following dictum ascribed to Muhammad illustrates this quite clearly: "If there was no blood revenger, then who would be safe in the desert?"¹⁹

Family liability could be considered only for Deut 22:8: "When you build a new house, you should make a parapet on the roof so that it will not bring blood guilt upon your house if someone falls from it."²⁰ However, this is only the case if the second בית ("that will not bring blood guilt upon your house") no longer refers, as it did previously, objectively to the newly constructed house itself but instead shifts to the family of the builder. That no collective punishment is in view is demonstrated by the fact that no penal consequences are articulated for such blood guilt. In addition, 22:8 serves as the redactional link from 22:1–12 to the stipulations on blood justice from Deut 19:1–13; 21:1–9,²¹ which itself excludes collective punishment.

19. Cf. Merz, "Blutrache," 13 n. 2; Walter Dietrich, "Rache: Erwägungen zu einem alttestamentlichen Thema," *EvT* 36 (1976): 462; Yves Guillemette, "Pour vivre heureux dans le pays: A propos de deux lois du Deutéronome," in "Où demeures-tu?" *Lla maison depuis le monde biblique: En hommage au professeur Guy Couturier à l'occasion de ses soixante-cinq ans*, ed. Jean-Claude Petit (Montreal: Fides, 1994), 130–33; Hendrik G. L. Peels, *The Vengeance of God: The Meaning of the Root NQM and the Function of the NQM-Texts in the Context of Divine Revelation in the Old Testament*, OTS 31 (Leiden: Brill, 1995), 79–86 (bibliography: 79 n. 112); Singer, "Blutrache," 1654.

20. On Deut 22:8, see Gianni Barbiero, *L'asino del nemico: Rinuncia alla vendetta e amore del nemico nella legislazione dell' Antico Testamento* (Es 23,4–5; Dt 22,1–4; Lv 19,17–18), AnBib 128 (Rome: Pontifical Bible Institute, 1991), 150–51; Guillemette, "Pour vivre heureux dans le pays," 129–30, 133–37.

21. On this see Eckart Otto, "Soziale Verantwortung und Reinheit des Landes: Zur Redaktion der kasuistischen Rechtssätze in Deuteronomium 19–25," in *Prophezie und geschichtliche Wirklichkeit im alten Israel: Festschrift für Siegfried Herrmann zum 65. Geburtstag*, ed. Rüdiger Liwak and Siegfried Wagner (Stuttgart: Kohlhammer, 1991), 295; Otto, *Theologische Ethik des Alten Testaments*, ThW 3.2 (Stuttgart: Kohlhammer, 1994), 186–76; Barbiero, *L'asino del nemico*, 131–202.

The only possible exception appears in Deut 13, which addresses the problem of apostasy.²² Its final section, 13:13–19 deals with the especially difficult case of the apostasy of an entire city from YHWH, thereby stipulating its entire destruction. First off, one can follow Christoph Levin and point out that Deut 13:13–19 stands “outside normal criminal law.”²³ The motif of the ban does not belong to criminal law. In addition, Deut 13 does not mandate the destruction of the entire city on behalf of the “seducers” emerging within it, but rather on the basis of the “seduction” of the entire inhabitants.²⁴ All are guilty, so all shall bear the punishment.

Leviticus 20:2–5 threatens that someone who sacrifices a child to Molech will not face earthly judgment. Instead, the delinquent will experience collective punishment from God that will also extend to their tribe. However, even in this case, it is clear that the actual penal sanction is conceived individually. Whoever sacrifices children to Molech, they—and only they—shall be killed. Collective retribution, when criminal justice fails, is reserved exclusively for God.

It is also discussed whether the instruction in Lev 21:9 that a priest’s daughter shall be burned in the case of fornication concerns a case of collective liability.²⁵ However, it only addresses a particular sentence for an offense, not the punishment of innocents in the context of a guilty collective.

Therefore, the principle of collective punishment cannot be established in Hebrew Bible law.²⁶ What one instead finds attested is its explicit repudiation. Deuteronomy states, for example, explicitly in 24:16:

Fathers shall not on behalf of the sons, nor sons be put to death on behalf of the fathers. Each shall be put to death for his own transgression [בְּחֻטָּאוֹ].²⁷

22. See Timo Veijola, “Wahrheit und Intoleranz nach Deuteronomium 13,” *ZTK* 92 (1995): 287–314.

23. Levin, *Die Verheissung*, 46 n. 39: “ausserhalb des normalen Strafrechts.”

24. Note the *w*-impf. וִידִיחוּ after the perf. יָצְאוּ in 13:14.

25. See Kaminsky, *Responsibility*, 75.

26. See already J. R. Porter, “The Legal Aspects of the Concept of ‘Corporate Personality’ in the Old Testament,” *VT* 15 (1965): 379; Moshe Greenberg, “Some Postulates on Biblical Criminal Law,” in *Yehezkel Kaufmann Jubilee Volume: Studies in Bible and Jewish Religion Dedicated to Yehezkel Kaufmann on the Occasion of His Seventieth Birthday*, ed. Menahem Haran (Jerusalem: Magnes, 1960), 23.

27. On Deut 24:6 see Eckart Otto, “Von der Programmschrift einer Rechtsreform

This verse comes across as peculiarly isolated in its context. The generality of this statement in the midst of concrete commands is surprising. In addition, the cultically influenced language (אטח) is striking.²⁸ As a result, scholars have often attempted to explain Deut 24:16 as an addition.²⁹ Against this conjecture, however, is the pervasive orientation of Deut 24:10–17 toward Exod 22:20–30 (ET: 21–31),³⁰ which shows that Deut

zum Verfassungsentwurf des Neuen Israel: Die Stellung des Deuteronomiums in der Rechtsgeschichte Israels,” in *Bundesdokument und Gesetz: Studien zum Deuteronomium*, ed. Georg Braulik, HBS 4 (Freiburg im Breisgau: Herder, 1995), 94–96; Jeffrey Tigay, *Deuteronomy*, JPS Torah Commentary (Philadelphia: Jewish Publication Society, 1996), 227. The translation of אט is not completely certain (Tigay, *Deuteronomy*, 390 n. 58); however, see also the analogous use in Deut 22:6b; Gen 32:12; Exod 35:22; Hos 10:14. A striking conceptual parallel to Deut 24 (cf. 2 Kgs 24:5–6) appears in the Telipinu Decree v II, §29:45; §31:50–58, §32:59–60 (see Hoffmann, *Der Erlass Telipinus*, 33–37; Hans M. Kümmel, “Der Thronfolgerlass des Telipinu,” *TUAT* 1.5:469). It undoubtedly had a historical motivation in the bloody turmoil surrounding the line of succession in the Hittite royal house to which King Telipinu intended to end through the principle of the line of succession through the king’s oldest son. The collective punishment prohibited in the Telipinu Decree is, however, limited to the royal house; on collective liability in Hittite law, see n. 48, below.

28. Cf. Klaus Koch, “אטח,” *TDOT* 4:313.

29. See, e.g., Levin, *Der Verheissung*, 41 and n. 23; Kaminsky, *Responsibility*, 123–29. Kaminsky (*Responsibility*, 128–29; see earlier Herbert G. May, “Individual Responsibility and Retribution,” *HUCA* 32 [1961]: 117; Barnabas Lindars, “Ezekiel and Individual Responsibility,” *VT* 15 [1965]: 455 n. 2) tries to explain Deut 24:16 on the basis of the narrative event in 2 Kgs 14:5–6, where Amaziah does not punish the sons of his father’s murderer (here citing Deut 24:16). However, this suggestion is problematic from a number of perspectives: (1) He presupposes the traditional but incorrect view of the prevalence of collective responsibility since the beginning of penal law. (2) Deuteronomy 24:16 neither fits with the content (reciprocity between fathers and sons) nor the formulation (אטח) exactly with the case reported in 2 Kgs 14:6. (3) The explicit citation of Deut 24:16 in 2 Kgs 14:6 is not really advantageous for this argument, but compels the conjecture of an addition (p. 128: “This argument is not an attempt to claim that 2Kgs 14.6 was written before Deut. 24.16 which it cites, but rather that *the story* reported in 2Kgs 14.6 was the major motivating factor behind the legislation found in Deut. 24.16”).

30. Cf. Michael Fishbane, *Biblical Interpretation in Ancient Israel* (Oxford: Oxford University Press, 1985), 339–41. Georg Braulik (*Die deuteronomistischen Gesetze und der Dekalog: Studien um Aufbau von Dtn 12–26*, SBS 145 [Stuttgart: Katholisches Bibelwerk, 1991], 104–5) sees Deut 24:10–17 as thoroughly dependent on Ezek 18:5–20; contrary, however, is Otto, “Programmschrift,” 95–96, see also Fishbane, *Biblical Interpretation*, 339. The links of Deut 24 to Ezek 18 are also significant in the case

24:16 is an integral part of the context. The orientation toward Exod 22 also illuminates the intention of Deut 24:16. Exodus 22:22–23 (ET: 23–24) concerns the case of breaking the prohibition on oppressing widows and orphans (Exod 22:21 [ET: 22]). The punishment for such an offense is placed upon God himself, who will make the wives and children of the perpetrator into widows and orphans through his death. Here the relatives of a culprit must pay his crimes by themselves becoming widows and orphans. Within the context of the stipulations on the protection of needy persons in Deut 24 and in contrast with the principle in Exod 22:22–23 (ET: 23–24), Deut 24:16 lays down the principle of individual liability also in view of punishing divine action. In §27.3 below we will see that this instance of collective punishment is interpreted by God himself.

The background consists of a similar rejection of collective liability in the stipulation on the goring ox in Exod 21:28–31:

When an ox gores a man or a woman so that he dies, then the ox shall be stoned, and his flesh may not be eaten, but the owner of the ox shall not be liable. If an ox has gored for a longer time, and its owner has been warned but he has not restrained it, and it kills a man or a woman, then the ox shall be stoned, and also its owner shall be killed. If a ransom is imposed upon him, then he shall pay whatever is imposed upon him as a redemption payment for his life.³¹

of the opposite direction of dependence. They show that Ezek 18 presupposes Deut 24:10–17 together with 24:16.

31. On this see Otto, *Wandel der Rechtsbegründungen*, 25–26, 29–30; Otto, *Rechtsgeschichte der Redaktionen*, 135–50; Otto, *Körperverletzungen in den Keilschriftrechten und im Alten Testament: Studien zum Rechtstransfer im Alten Orient*, AOAT 226 (Kev-laer: Butzon & Bercker; Neukirchen-Vluyn: Neukirchener Verlag, 1991), 147–64; Schwienhorst-Schönberger, *Bundesbuch*, 129–42; Tigay, *Deuteronomy*, 227; Houtman, *Das Bundesbuch*, 171–80; see also Bernd Janowski, *Sühne als Heilsgeschehen: Studien zur Sühnetheologie der Priesterschrift und zur Wurzel KPR im Alten Orient und im Alten Testament*, WMANT 55 (Neukirchen-Vluyn: Neukirchener Verlag, 1982), 154–59 and n. 252 (for further literature). On the ancient Near Eastern background, in addition to Otto, *Körperverletzungen*, also see Adrianus van Selms, “The Goring Ox in Babylonian and Biblical Law,” *ArOr* 18 (1959): 321–30; Reuven Yaron, “The Goring Ox in Near Eastern Laws,” in *Jewish Law in Ancient and Modern Israel*, ed. Haim Hermann Cohn (New York: Ktav, 1971), 50–60; Yaron, *The Laws of Eshnunna*, 2nd ed. (Jerusalem: Magnes; Leiden: Brill, 1988), 291–303; Bernard S. Jackson, “The Goring Ox,” in *Essays in Jewish and Comparative Legal History*, SJLA 10 (Leiden: Brill, 1975), 108–52; Meir Malul, *The Comparative Method in Ancient Near Eastern and Biblical*

The regulation is clear to this point.³² However, what then follows in Exod 21:31—conspicuously attached with וְאִם and not with וְאִם, as generally found in the immediately preceding context³³—is a further postscript: “If it gores a son or a daughter, then he [the owner] will be treated according to the same rule.” The content of this addition in itself is completely superfluous. The fact that one should kill either ox and owner or instead that the owner can ransom himself when an ox gores a child instead of an adult is sufficiently clear on the basis of the previous stipulation. The legal regulations of the Hebrew Bible generally do not distinguish, specifically with regard to offerings, between adults and children. Then what does Exod 21:31 intend to articulate? The stipulation apparently opposes a talionic conception of a practice that considers the owner of the ox’s children as compensation—which possesses a completely retaliatory perspective—for the children killed by the ox.³⁴ The explicit repetition that one should not

Legal Studies, AOAT 227 (Kevelaer: Butzon & Bercker; Neukirchen-Vluyn: Neukirchener Verlag, 1990), 113–52.

32. One should note that the כֶּפֶר payment in 21:30 is not primarily conceived as compensation but rather as ransom for the forfeited life (see Janowski, *Sühne*, 157–58; Otto, *Körpervletzungen*, 159; also see Adrian Schenker, “Koper et expiation,” *Bib* 63 [1982]: 32–46).

33. On this connection, see Schwienhorst-Schönberger, *Das Bundesbuch*, 137; Otto, *Körpervletzungen*, 157; Houtman, *Das Bundesbuch*, 174 (for further literature). Exodus 21:31 is largely reckoned, like 21:30, as a literary addition; controversial is whether 21:28–29 was initially expanded with 21:30 and then 21:31 (Otto, *Körpervletzungen*, 158) or whether it was the reverse that 21:31 was prior to 21:30 (Schwienhorst-Schönberger, *Das Bundesbuch*, 142). In favor of Otto’s reconstruction is that the reconstructed sequence of 21:28–29, 31 of stipulations is implausible in terms of legal history (a representative talion, in which an adult is liable with its life for a slaughtered child is not attested anywhere); 21:31 rather presupposes the content of the determination of compensation from 21:30.

34. On the retaliatory perspective, see Eckart Otto, “Die Geschichte der Talion im Alten Orient und Israel,” in *Ernten, was man sät: Festschrift für Klaus Koch zu seinem 65. Geburtstag*, ed. Dwight R. Daniels, Uwe Glessmer, and Martin Rösel (Neukirchen-Vluyn: Neukirchener Verlag, 1991), 104–5; Otto, *Theologische Ethik*, 74–75, in discussion with Adrian Schenker, *Versöhnung und Widerstand: Bibeltheologische Untersuchung zum Strafen Gottes und der Menschen, besonders im Lichte von Exodus 21–22*, SBS 139 (Stuttgart: Katholisches Bibelwerk, 1990), 53, who in substance also contradicts Rainer Albertz, “Täter und Opfer im Alten Testament,” *ZEE* 28 (1984): 146–66. See, in general, David Daube, *Studies in Biblical Law* (Cambridge: Cambridge University Press, 1947), 167; P. J. Verdam, “On ne fera point mourir les enfants pour les pères,” *RIDA* 2 (1949): 414–15; Hempel, *Das Ethos*, 47; Fishbane, *Biblical Interpre-*

act according to this kind of justice illustrates that the owner alone is liable for the goring ox. He cannot be punished over and above such that his children must die for his guilt.³⁵

It is highly unclear whether one can deduce from the repudiation of the killing of a delinquent's children that it was actually practiced or even legally intended at some point in ancient Israel—in keeping with the axiom that every negation presupposes a corresponding practice. The Hebrew Bible simply does not provide any evidence or even mere clues, so caution is advisable. Yet even if one judges differently here, one can justifiably question whether the conceptual framework of these measures is not different than a tribal context. This issue will be addressed below.

If one looks back beyond the Hebrew Bible to the ancient Near East, then a surprisingly similar picture arises with regard to the basic features.³⁶ One can first conclude that not a single penal stipulation can be found in the Sumerian and Akkadian laws before Hammurabi (1792–1750 BCE) that reckons with collective liability.³⁷ Neo-Sumerian court documents do, however, report three cases that decree the enslavement of family members of a criminal that himself could not be prosecuted,³⁸ thereby attesting to individual cases of the practice of kin liability. However, the

tation, 211–13; Kaminsky, *Responsibility*, 127; cf. Johannes Pedersen, *Israel: Its Life and Culture; I–II* (London: Oxford University Press; Copenhagen: Branner, 1926), 401–2.

35. On this see also Adrian Schenker, “Drei Mosaiksteinchen: ‘Königreich von Priestern,’ ‘Und ihre Kinder gehen weg,’ ‘Wir tun und wir hören’ (Exodus 19,6; 21,22; 24,7),” in *Studies in the Book of Exodus: Redaction–Reception–Interpretation*, ed. Marc Vervenne, BETL 126 (Leuven: Leuven University Press, 1996), 376 n. 20. This also renders quite improbable the conjecture of a “representative talion” in the Covenant Code by Cornelis Houtman (“Eine schwangere Frau als Opfer eines Handgemenges [Exodus 21,22–25]: Ein Fall von stellvertretender Talion im Bundesbuch?,” in Vervenne, *Studies in the Book of Exodus*, 381–97; Houtman, *Das Bundesbuch*, 154–68) for Exod 21:22–25 (contrary, see now again Schenker, “Die Analyse der Intentionalität im Bundesbuch,” 213 n. 11; as well as Otto, review of *Das Bundesbuch*, 416–17).

36. Similar already Scharbert, *Väterfluch und Vätersegen*, 27–37. On Ries's contrary generalization (“Kollektivhaftung,” 183) see n. 7, above.

37. On the dating, see Martha Roth, *Law Collections from Mesopotamia and Asia Minor*, 2nd ed., WAW 6 (Atlanta: Scholars Press, 1997), 71. Codex Eshnunna (CE §24) is familiar with the legal liability of the wife and children for the debts of the father, but this regulation does not belong to the penal code.

38. Adam Falkenstein, *Die neusumerischen Gerichtsurkunden: Zweiter Teil: Umschrift, Übersetzung und Kommentar* (Munich: Verlag der Bayerischen Akademie der Wissenschaften, 1956), 67–72 [Num 41; 42], 263–64 [Num 166:11–17]; cf. the

legal regulations of the most well-known law collections conspicuously contain no indications of collective liability. This picture changes only with Hammurabi.

The stipulation in Exod 21:31 rejecting negative talionic compensation by means of sons or daughters undergoing punishment for a punishable deed by their father (it can but need not concern a criminal offense), is occasionally attested in Codex Hammurabi.³⁹ It states, for example: “When the daughter of an *awilum*, a free citizen, dies as a result of a miscarriage that was caused by blows, then the one guilty of striking shall die for the daughter” (§§209–210).⁴⁰ Or, “when a poorly constructed house collapses and the son of the owner is killed, then the builder’s son shall be killed” (§§229–230).⁴¹ The Middle Assyrian Laws document a similar case: the father of a violated virgin has the right to violate the wife of the perpetrator; neither must he return her to her husband.⁴²

Is this now the codification of penal collective liability? One quickly notices that the thought behind these stipulations does not primarily lie in the liability of the family. It instead concerns the talionic notion running through these cases such that the daughters and sons must die for the

commentary in *Erster Teil: Einleitung und systematische Darstellung*, 84, as well as Ries, “Kollektivhaftung,” 184.

39. Cf. the compilation in Ries, “Kollektivhaftung,” 184–85.

40. The translation “free citizen” according to the translation by Rykle Borger in *TUAT* 1.1; on the class of persons of the *awilum* in ancient Near Eastern law, see comprehensively Yaron, *Laws of Eshnunna*, 132–46 (for further literature). Compare: “§209 If an *awilu* strikes a woman of the *awilu*-class and thereby causes her to miscarry her fetus, he shall weigh and deliver 10 shekels of silver for her fetus” (“The Laws of Hammurabi,” trans. Martha Roth [COS 2.131:348]). In the Middle Assyrian laws this same case is treated in a very different manner, namely regulated through compensatory service: “A §21 If a man strikes a woman of the *awilu*-class thereby causing her to abort her fetus, and they prove the charges against him and find him guilty—he shall pay 9,000 shekels of lead; they shall strike him 50 blows with rods; he shall perform the king’s service for one full month” (“The Middle Assyrian Laws,” trans. Martha Roth [COS 2.132:355]).

41. “§229 If a builder constructs a house for a man but does not make his work sound, and the house that he constructs collapses and causes the death of the householder, that builder shall be killed §230 If it should cause the death of a son of the householder, they shall kill a son of that builder” (“Hammurabi’s Laws,” COS 2.131:349).

42. Law A §55. See “Middle Assyrian Laws,” COS 2.132:359; on this see Ries, “Kollektivhaftung,” 185.

actions of their fathers that are to blame for robbing other fathers of their daughters and sons. It is also clear that these legal declarations are not formulated such that the punishment takes place of the daughters and sons as independent legal subjects. It is instead their father that must bear the especially difficult punishment of the loss of a daughter or a son.

David Daube especially has spoken in favor of interpreting these legal statements not in the sense of collective liability, instead opting to introduce the—in my opinion, rather unfortunate—category of “ruler punishment.”⁴³ A ruler, which according to Daube’s parlance can indicate a king, an officer, or a *paterfamilias*, is punished by taking away his subjects, soldiers, or children. One can disagree on the nomenclature of ruler punishment, but it is actually correct in this case that the supposed attestations of collective liability in the ancient Near Eastern legal collections do not primarily conceive of the joint liability of the family or clan for the offense of one of its members. It instead conceptualizes a further extension of individual legal responsibility: the perpetrator is punished by taking away his children.⁴⁴ One can propose a reverse test for this hypothesis. There are no legal stipulations in ancient Near Eastern law in which it is not the children that bear consequences for their parents’ actions, but rather where parents are punished for the offenses of their children.⁴⁵ Legal transactions do not take place between “corporate personalities”⁴⁶ but rather between perpetrator

43. Daube, *Studies*, 163; see also Scharbert, *Väterfluch und Vätersegen*, 20–21.

44. Ries (“Kollektivhaftung,” 185) objects to the argument that one cannot speak of collective liability in the case of “ruler punishment” stipulations, arguing instead that the understanding of the person was conceived differently in antiquity such that this very understanding was “the major reason for c[ollective liability]” (“der massgebliche Grund für die K[ollektivhaftung]”). This objection is, however, only relevant if in addition to ruler punishment there is no evidence for the inclusion of autonomous legal subjects in generation transferring connections of guilt. However, outside the legal literature this is the case (see §27.3, below).

45. See, e.g., the explicit rejection in MAL §A 2 (cf. “Middle Assyrian Laws,” COS 2.132:354); on this, Ries, “Kollektivhaftung,” 184; see also 185: “The c[ollective liability] of the parents for their children, on the other hand, is not verifiable and also quite improbable given the patriarchal structure of the ancient Near Eastern family” [“Die K der Eltern für ihre Kinder ist dagegen nicht nachweisbar und bei der patriarchalischen Struktur der altoriental. Familie auch ganz unwahrscheinlich”]. On so-called noxal liability, see Richard Haase, “Über Noxalhaftung in der hethitischen Rechtssammlung,” *ArOr* 29 (1981): 419–21.

46. On the term and its history see Scharbert, *Väterfluch und Vätersegen*, 11–12; John W. Rogerson, “Corporate Personality,” *ABD* 1:1156–57.

and victim. The conclusion drawn from the Hebrew Bible—that penal law foresees no collective liability⁴⁷—is confirmed with this modification also for the ancient Near East. While in special cases sons and daughters could be killed for the actions of their fathers, the one punished—at least according to the conception of the legal stipulation—is also the fathers. Therefore, one should distinguish what would be reckoned as collective liability by today’s standards from, historically speaking, what would not be collective liability on the basis of a different conception of the legally responsible individual. In addition, one can or rather could only speak of this, again viewed historically, when the connection of liability extends beyond the guilty legally responsible subject to (at least) one other legally responsible subject. This is, however, hardly ever the case in ancient Near Eastern penal law.

Hittite law represents something of a special case regarding collective liability.⁴⁸ The Hittite laws from the royal archive from Boghazköy corroborate a few stipulations that foresee collective liability.⁴⁹ Paragraph 44a, for example, maintains: “If anyone makes a man fall into a fire, so that he dies, (the guilty party) shall give a son in return.” This stipulation, does not, however, foresee the killing of the son; it rather envisions his extradition as replacement worker, which is on display in §§1–4:

§1 [If] anyone kills [a man] or a woman in a [quarr]el, he shall [bring him] (for burial^[50]) and shall give 4 persons (lit. heads), male or female respectively, and he shall look [to his house for it.]

47. For discussion on the fundamental question of the normative or descriptive nature of the ancient Near Eastern legal traditions, see Eckart Otto, “Um Gerechtigkeit im Land sichtbar werden zu lassen...,” in *Recht–Macht–Gerechtigkeit*, ed. Joachim Mehlhausen, VWGTh 14 (Gütersloh: Kaiser and Gütersloher Verlagshaus 1998), 112 and nn. 30–41 (for further literature); also see Houtman, *Das Bundesbuch*, 17–35.

48. For an overview see Viktor Korošec, “Die Kollektivhaftung im hethitischen Recht,” *ArOr* 18.3 (1950): 187–209; Richard Haase, “Die Kollektivhaftung bei den Hethitern: Ein Überblick,” in *Studi in Onore di Cesare Sanfilippo*, ed. Cristoforo Cosentini, Università di Catania: Pubblicazioni della facoltà di giurisprudenza 96 (Milan: Giuffrè, 1982), 217–30.

49. See Harry A. Hoffner Jr., *The Laws of the Hittites: A Critical Edition*, DMOA 23 (Leiden: Brill, 1997); see also Richard Haase, *Texte zum hethitischen Recht: Eine Auswahl* (Wiesbaden: Reichart, 1984), 18–47.

50. See the commentary in Hoffner, *Laws of the Hittites*, 166–67.

§2 [If] anyone kills [a male] or female slave in a [quarr]el, he shall bring him (for burial) [and] shall give [2] persons (lit. heads), male or female respectively, and he shall look to his house for it.

§3 [If] anyone strikes a free [man] or woman so that he dies, but it is an accident,⁵¹ he shall bring him (for burial) and shall give 2 persons (lit. heads), and he shall look to his house for it.

§4 If anyone strikes a male or female slave so that he dies, but it is an accident, he shall bring him (for burial) and shall give one person (lit. head), and he shall look to his house for it.⁵²

Rather than the death of those uninvolved, these stipulations call for the replacement of labor. This shows that it does not concern the codification of blood revenge but rather that a perpetrator-victim compensation should be established, essentially conceived along the lines of ruler punishment.

Finally, an exception dealing specifically with royal law is §173a: “If anyone rejects a judgment of the king, his house will become a heap of ruins. If anyone rejects a judgment of a magistrate, they shall cut off his head.”⁵³ Noncompliance with a royal edict is saddled with an especially drastic penalty that also apparently intends to quell even the beginning of upheaval in the population against the king.

The largely negative findings with regard to collective liability in ancient Near Eastern penal law in itself is not surprising.⁵⁴ Public criminal

51. On this see Otto, *Körperverletzungen*, 114.

52. Translation follows Hoffner, *Laws of the Hittites*, 17–18; see also Hoffner, “Hittite Laws,” in Roth, *Law Collections*, 217. On the translation, see the explanations in Haase, *Texte*, 23 n. 21 (cf. Hans G. Güterbock, “Noch einmal die Formel *parnašša šuwaizzi*,” *Or* 52 [1983]: 73–80).

53. Translation from Hoffner, *Laws of the Hittites*, 138. On the Telipinu Decree, see n. 27, above. In this case, *é* (“house”) refers to the family of the resister; see Richard Haase, “Überlegungen zu §173 (*58) der hethitischen Gesetze,” *Anatolica* 20 (1994): 222.

54. The legal regulations of ancient Near Eastern debt and security that reckon with some sense of family liability belong to a different sphere—within which one can also envision modern parental or relational liability (“Parents are liable for their children”). Additionally, they are mentioned here on the margin: CH §§114–119 contains detailed stipulations about the confiscation of family members of a debtor, §152 maintains the basic liability of the wife of a debtor (see Viktor Korošec, “Keilschriftrecht,” in *Orientalisches Recht*, ed. Bertold Spuler, HdO 3 [Leiden: Brill, 1964], 104, 110; cf. Ries, “Kollektivhaftung,” 184–85); also several dowry and bridal price laws in CH show a very strong familial connection (see Korošec, “Keilschriftrecht,” 120); in Assyrian contracts the borrower guarantees the creditor access to his person, his wife, his children,

law, which is partially responsible for constituting the earliest civilizations of the ancient Middle East,⁵⁵ still to the greatest extent possible presupposes a state monopoly on the use of force.⁵⁶ Even ancient states cannot have had an interest in the decimation of their populations, which means that in the earliest ancient Near Eastern legal promulgations, punishment is strictly limited to the perpetrator, and the stipulations of punishment operate as greatly as possible as compensation. One cannot prove an explicit individual principle of guilt for the beginnings of ancient Near Eastern law: the criterion of the premeditation of a deed only gradually receives consideration in the legal stipulations.⁵⁷ However, the principle of individual liability was not a gradual achievement within criminal law; it was instead a presupposition from the very beginning.⁵⁸

his slaves, as well as his property (cf. Georg Eisser and Julius Lewy, *Die altassyrischen Rechtsurkunden von Kültepe*, MVAG 33, 35.3 (Leipzig: Hinrichs, 1930, 1935), 14 lines 15–16; 15 lines 15–17; 20.10–12 [see Korošec, “Keilschriftrecht,” 150]). One could also bracket out the examples of collective liability for political groups for offenses that take place in their territory mentioned by Ries (“Kollektivhaftung,” 185–86: CH §23, PRU IV, 153–60), for while the acts committed are relevant in criminal terms, the respective sanctions are of a contractual legal nature.

55. On the relationship of public criminal law and private criminal law, see Eckart Otto, “Die Einschränkung des Privatstrafrechts durch das öffentliche Strafrecht in der Redaktion der Paragraphen 1–24, 50–59 des Mittelasyrischen Kodex A (KAV 1),” in *Biblische Welten: Festschrift für Martin Metzger zu seinem 65. Geburtstag*, ed. Wolfgang Zwickel, OBO 123 (Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 1993), 131–66.

56. Cf., e.g., the blood revenge regulation §49 of the Telipinu Decree (see n. 16, above), which provides legitimation for blood revenge in public penal law.

57. Cf. the material in Dieter Nörr, “Zum Schuldgedanken im altbabylonischen Strafrecht,” ZSS 75 (1958): 1–31; as well now in detail about the topic on the example of the Covenant Code, Schenker, “Die Analyse der Intentionalität im Bundesbuch”; see also David Daube, “Direct and Indirect Causation in Biblical Law,” VT 11 (1961): 246–69.

58. On this see Walter Burkert, “Vergeltung” zwischen Ethologie und Ethik: Reflexe und Reflexionen in Texten und Mythologien des Altertums, Carl Friedrich von Siemens Stiftung Themen 55 (Munich: Carl-Friedrich-von-Siemens-Stiftung, 1994); see further Rogerson, “Corporate Personality,” 1157: “In OT law the principle of individual responsibility was fundamental from the earliest times”; Ludwig Schmidt, “De Deo”: Studien zur Literarkritik und Theologie des Buches Jona, des Gesprächs zwischen Abraham und Jahwe in Gen 18,22ff. und von Hi 1, BZAW 143 (Berlin: de Gruyter, 1976), 146.

27.3. The Notion of Collective Guilt outside Legal Literature

There is, therefore, almost nothing concerning the topic of collective liability in the legal literature. However, when one views other literary genres, there is a richness of material for the notion of intergenerational liability.⁵⁹ These especially include texts from the political-historical sphere. This evidence in and of itself is already quite striking; but how it should be interpreted is another question.

The topic of intergenerational guilt appears prominently in the so-called plague prayers of Muršili II, a Hittite king ruling approximately 1330–1295 BCE.⁶⁰ These prayers provide examples of the context in which this thought is conceived and what type of logic it rests upon.

These prayers also provide understanding for why the notion of collective punishment forms a quantitative focal point in the curse sections of ancient Near Eastern treaties, which envisage the collective annihilation of the family of the relevant treaty partner as well as the population of their land in the case of a breach of the treaty's obligations.⁶¹ However, one can also interpret these texts within the framework of the ruler punishment concept, so they should not form the basis of understanding.

The plague prayers of Muršili are from the fourteenth century BCE. This period is the time of the great blossoming of Hittite power, which also for this reason is extraordinarily well documented by literary sources.⁶²

59. From this point of view see the material in Giuseppe Furlani, "Familienhaftung," *RIA* 3:16–19; Ries, "Kollektivhaftung."

60. CTH 378; the text can be found in Ferdinand Sommer and Hans Ehelolf, *Kleinasiatische Forschungen*, 1 (Weimar: Böhlau Nachfolger, 1930), 161–77 (prepared by Albrecht Götze); also *ANET*, 394–96 (Albrecht Götze); *COS* 1.60:156–60 (Gary Beckman); sections in Korošec, "Die Kollektivhaftung," 198; Scharbert, *Väterfluch und Vätersegen*, 50–51; Bertil Albrektson, *History and the Gods: An Essay on the Idea of Historical Events as Divine Manifestations in the Ancient Near East and in Israel*, *ConBOT* 1 (Lund: Gleerup, 1967), 107; Hubert Cancik, *Grundzüge der hethitischen und alttestamentlichen Geschichtsschreibung*, ADPV (Wiesbaden: Harrassowitz, 1976), 45; Haase, *Texte*, 87–88; Jan Assmann, *Das kulturelle Gedächtnis: Schrift, Erinnerung und politische Identität in frühen Hochkulturen* (Munich: Beck, 1992), 241–42. Cf. "Plague Prayers of Muršili II," trans. Gary Beckman (*COS* 1.60); on the dating, see *KUB* 14:4, 4:24ff., and Friedrich Cornelius, *Geschichte der Hethiter: Mit besonderer Berücksichtigung der geographischen Verhältnisse und der Rechtsgeschichte* (Darmstadt: Wissenschaftliche Buchgesellschaft, 1979), 321–22 n. 53; 331 n. 54.

61. See below nn. 75–77.

62. On this see the overview in Hubert Cancik, *Mythische und historische*

Muršili's regency and that of his father Šuppiluliuma before him concern an extremely eventful period. One must understand the basic events, which especially concern the various contacts between the Hittite Empire in Anatolia and Egypt, in order to understand the plague prayers.

During his expansionistic campaigns into Syria, Šuppiluliuma sent two generals to seize Lebanon, which was Egyptian territory at that time, even though the Hittite kingdom and Egypt had made a pact with one another through a treaty sworn before the deities. Immediately after this attack, the queen of Egypt, the childless widow—it is debated whether of Tutankhamun or, more likely, Akhenaton⁶³—unexpectedly requested to receive from Šuppiluliuma a Hittite prince as a husband by letter.⁶⁴ After considerable reflection that circled around the question of whether this request was a ruse, Šuppiluliuma accepted the proposal and sent one of his princes to Egypt. However, he was killed on the way by Egyptians. In response Šuppiluliuma set out on a revenge campaign, struck the Egyptians and brought them back to the Hittite Empire as prisoners. What happened then was something that no one expected: These Egyptian prisoners introduced the plague among the Hittites, and it raged there for twenty long years. In the persisting emergency situation, Muršili, who in the meantime had risen to take the Hittite throne, asked the oracle and received the information that the reason for the plague lay in his father Šuppiluliuma's aggression toward the Egyptians, for Šuppiluliuma had broken the treaty sworn before the deities.

Wahrheit, SBS 48 (Stuttgart: Katholisches Bibelwerk, 1970), 46–52; Amélie Kuhrt, *The Ancient Near East c. 3000–330 B.C.*, 2 vols. (London: Routledge, 1995), 1:252–63, as well as the material in *TUAT* 1:471–81 (Hans Martin Kümmel).

63. The Hittites call her “Dahamunzus” (Cancik, *Grundzüge*, 164), which is, however, merely the transcription of the Egyptian expression *t: hmt nswt* “the bride of the king” (Rolf Krauss, *Das Ende der Amarnazeit: Beiträge zur Geschichte und Chronologie des Neuen Reiches*, Hildesheimer Ägyptologische Beiträge 7 [Hildesheim: Gerstenberg, 1978], 14 and n. 5). The controversy is documented in Krauss, *Das Ende*, 9–19, who opts for Akhenaten (cf. also Dietrich Sürenhagen, *Paritätische Staatsverträge aus hethitischer Sicht: Zu historischen Aussagen und literarischer Stellung des Textes CTH 379*, *Studie mediterranea* 5 (Pavia: Iuculano, 1985), 56; Assmann, *Gedächtnis*, 241), different is Abraham Malamat, “Doctrines of Causality in Hittite and Biblical Historiography: A Parallel,” *VT* 5 (1955): 6 and n. 4 (for further literature). The name of the king is given as “Nibhūrija,” which does not help further with the identification because it is a throne name.

64. “Zannanzas” (Cancik, *Grundzüge*, 166).

With the help of the oracle, the reason for the plague was determined, but as stated, it lay back a generation. In response to this information, Muršili then formulated a prayer (“second plague prayer”) that contains the following passage:

O Storm God of Ḫatti, my lord, and gods, my lords—so it happens: People always sin. My father sinned and transgressed the word of the Storm God of Ḫatti. But I did not sin in any way. But so it happens: The sin of the father devolves upon his son. The sin of my father has devolved upon me, and I have now confessed it to the Storm God of Ḫatti, my lord, and to the gods, my lords: It is true. We (!) have done it. Because I have confessed the sin of my father, let the souls of the Storm God of Ḫatti, my lord, and of the gods, my lords again be appeased. May you be well-disposed toward me once more. Send the plague away from Ḫatti again.”⁶⁵

The broken oath led initially to a Hittite military victory, which, however, soon proved a disastrous pyrrhic victory, for it brought the plague into the land. Šuppiluliuma’s treaty breach and the plague under Muršili were brought together in the prayer as the guilt and penalty of an intergenerational causal nexus; and the penalty could only come to an end when the guilt was repaid. It is evident, as one can deduce from the striking “we have done it,” that the reverse conclusion is also the case: Because the plague continued to rage under Muršili, the guilt of his father persists. Therefore, Muršili can or must, after having just asserted his own sinlessness, extend his father’s guilt also to himself.

According to the section of text presented above, this confession of guilt appears to have been the decisive means for limiting the divine punishment. In the subsequent text, Muršili emphasizes that he has already made up for the transgressions of his father through offerings and setting prisoners free “twenty times over.” In addition to bearing the punishment as such and the confession of guilt, compensatory actions were also necessary, but their extent is not clear in advance. Muršili says that when the reparations brought by him are insufficient, then the Hittite storm god should make this known to him in a dream.

65. Translation from “Plague Prayers of Muršili II,” COS 1.60:158; see also Cancik, *Grundzüge*, 45; Korošec, “Die Kollektivhaftung,” 198.

The interpretation of history attested in the plague prayers has a striking parallel in 2 Sam 21:1, which has attracted great attention.⁶⁶ During David's time, a famine lasting several years came over the land for a transgression of his predecessor Saul:

As there was a famine in the time of David, three-years long, each year David sought the face of YHWH. And YHWH said, "Blood guilt is upon Saul and (his)⁶⁷ house because he killed the Gibeonites."

The parallels are quite obvious. As in the plague prayers, a national catastrophe leads the king to seek an oracle.⁶⁸ As with Muršili, the answer comes back that the penalty results from a deed done by the preceding generation. The similarities go even further. Saul's guilt does not consist simply in the explicitly mentioned blood guilt—in addition to the Gibeonites, Saul killed other people as well,⁶⁹ but this did not lead to a famine. Instead, Saul's guilt consists, like that of Šuppiluliuma, in that he had broken a treaty sworn before God: Josh 9:15, 19 provides information about how Joshua concluded a covenant witnessed by an oath. As presupposed in 2 Sam 21:1 (cf. 2 Sam 2:12–13), Saul broke this covenant by apparently going to war against the Gibeonites, which appears to have ended catastrophically for them.⁷⁰

66. Cyril J. Gadd, *Ideas of Divine Rule in the Ancient East: The Schweich Lectures of the British Academy 1945* (London: Oxford University Press, 1948), 38 n. 2; Malamat, "Doctrines of Causality," 8, 12; Scharbert, *Väterfluch und Vätersegen*, 122–23; Albrektson, *History*, 107–8; Kaminsky, *Responsibility*, 109–10.

67. It is like that the ה from הדמים belongs to בית; cf. the discussion by Kaminsky, *Responsibility*, 96 n. 2.

68. This is what is intended with "seek the face of YHWH"; already correctly interpreted by the Vulgate: *et consuluit David oraculum Domini*.

69. See also Malamat, "Doctrines of Causality," 9.

70. On 2 Sam 21:1, see Fritz Stolz, *Das erste und zweite Buch Samuel*, ZBK 9 (Zurich: TVZ, 1981), 193; see also Malamat, "Doctrines of Causality," 10–11. In 2 Sam 21 the topic of Saul's intergenerational guilt, which provides the reason for the famine, comes to light in a further point. The Gibeonites now demand from David the extradition of seven of Saul's sons. The number seven in this case apparently means the entirety of Saul's descendants on analogy with Saul's intentions to destroy the Gibeonites completely. David grants them this demand, and the Gibeonites kill Saul's sons in a horrible manner (The exact sense of יקא ["impale"?, "break upon a wheel"?; HALOT 431: "to display with broken legs and arms"] is unclear, cf. the reflections by Stolz, *1–2 Samuel*, 281; Kaminsky, *Responsibility*, 97 n. 7). First when the sons—in

What insights do the plague prayers of Muršili and the narrative of the famine at the time of David in 2 Sam 21 offer for the topic of collective guilt? First, the notion of intergenerational guilt appears to have its *Sitz im Leben* in connection with sweeping catastrophic experiences. The twenty-year plague in the Hittite Empire and the three-year famine at the time of David should not simply be understood as experiences of suffering but rather were interpreted as punishment for hitherto unatoned guilt. However, the paradigm that should be used for interpretation does not arise from some supposed conception of collective liability from criminal law that is then applied to history. It instead appears that the notion of intergenerational guilt first comes to light under the pressure of the experience of drastic catastrophes for which one could formulate an interpretation as punishment. Muršili remarkably reaches the idea himself that the plague could have arisen from his father's breach of the covenant, and this conjecture was then confirmed by the oracle, whose information was likely limited to yes/no answers.⁷¹

A second point must immediately be added. It is of the utmost importance that both in the plague prayers and also in 2 Sam 21 the guilt lies in the breaching of a covenant sworn before a deity. In other words, the guilt lies in wrongdoing against the deity himself; and on this level, it now becomes evident—in substance—that the principle taken into account is

the sense of negative talionic compensation—have died for the deeds of their father, “God has mercy on the land” (21:14). One can add a third text from yet another cultural sphere to the plague prayers of Muršili and 2 Sam 21: Sophocles's tragedy *King Oedipus* (cf. also the note in Assmann, *Gedächtnis*, 243): In this case as well an epidemic rages in Thebes at the beginning of the events. Here as well, the king, Oedipus, inquires of the oracle and is referred by the oracle to a guilty deed that lies back a generation—the still unatoned murder of Oedipus's predecessor, King Laius. The further development of the tragedy is well known. Oedipus slowly recognizes that he is the sought-after murderer of Laius. The story ends after Oedipus becomes blind and leaves Thebes. Interesting in the tragedy of *King Oedipus* in comparison with the plague prayers of Muršili and 2 Sam 21 is that they, first, are connected through the theme of intergenerational guilt bound up in the person of Oedipus—Oedipus expiates for a crime that lies in the previous generation but that he himself carried out. Second, the backward-oriented interpretation of history supplements a deterministic element: Greece cannot think of guilt without including destiny. Oedipus's guilt was foreordained by the oracle, and in Oedipus's attempt to flee from it, he paved the way for its fulfillment.

71. Cf. F. T. Miosi, “Oracle,” *ABD* 5:29–30.

that there is no penalty without law:⁷² divine punishment does not result arbitrarily but from justice. This marks the horizon of the problem within which both the plague prayers of Muršili and 2 Sam 21 are conceived. In modern terms it is the problem of theodicy; stated in ancient terms, the problem that necessarily results from the conception of a notion of world order that, for the entire ancient Near East, is characterized by the various terms paradigmatically ascertainable for “justice.”⁷³ The fundamental structure of the world is not chaos, even though this repeatedly manifests, but a just cosmos.⁷⁴ The ancient Near Eastern cultures hold fast to this conception.

Following the second point, the third and final is that it is clear that the violation of divine law can only be avenged by God or the gods themselves. So, in the framework of the conception of world order it is even the case that these violations *must* be avenged so that the world does not fall back into chaos. Belonging to the classic arsenal of catastrophes, not only in antiquity, interpreted as divine punishment are such historical events as destruction, deportation, famine, and plague that are of an intergenerational character.⁷⁵ The curse sections of ancient Near Eastern treaties are always mentioned as paradigmatic experiences of catastrophe.⁷⁶ This is the case for Hittite, Assyrian, Ugaritic, and Israelite treaties.⁷⁷

72. It does not simply concern a “doctrine of causality,” as suggested by Malamat, “Doctrines of Causality.”

73. See, e.g., Hans Heinrich Schmid, *Gerechtigkeit als Weltordnung: Hintergrund und Geschichte des alttestamentlichen Gerechtigkeitsbegriffes*, BHT 40 (Tübingen: Mohr, 1968); Assmann, *Ma’at*; for ancient Israel as a complex theological history: Hermann Spieckermann, “Recht und Gerechtigkeit im Alten Testament: Politische Wirklichkeit und metaphorischer Anspruch,” in Mehlhausen, *Recht–Macht–Gerechtigkeit*, 253–73.

74. On this see Fritz Stolz, “Unterscheidungen in den Religionen,” in *Wirkungen hermeneutischer Theologie: Eine Zürcher Festgabe zum 70. Geburtstag Gerhard Ebelings*, ed. Hans Friedrich Geisser and Walter Mostert (Zurich: TVZ, 1983), 15–16; see also the foundational religious-phenomenological reflections by Hans-Peter Müller, “Theodizee? Anschlussrörterungen zum Buch Hiob,” *ZTK* 89 (1992): 249–79.

75. See also Rainer Kessler, “Das kollektive Schuldbekenntnis im Alten Testament,” *EvT* 56 (1996): 33.

76. On this see Ries, “Kollektivhaftung,” 183; on the topic now also Hans Ulrich Steymans, *Deuteronomium 28 und die adê zur Thronfolgeregelung Asarhaddons: Segen und Fluch im Alten Orient und in Israel*, OBO 145 (Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 1995).

77. See, for Hittite: e.g., *TUAT* 1:142–43, 151 (Elmar Edel); for Assyrian: Simo Parpola and Kazuko Watanabe, *Neo-Assyrian Treaties and Loyalty Oaths*, SAA 2 (Hel-

As already mentioned, these texts form something of a focus of evidence for the notion of collective punishment. It has not become clear why this is the case. These treaties are guaranteed by oaths to God or the gods, upon whom it is incumbent to carry out the threatened punishment if the treaty is breached. However, they can only punish with necessarily collective blows like destruction, deportation, famine, or plague.

Also for the treaties guaranteed by oaths that Šuppiluliuma and Saul breached, which have not been passed on by tradition, one can assume on the basis of their genre that they contained analogous sections of curses, or, at least in the case of the treaty breached by Saul, one can imagine that this was the case.

The circumstances under which God or the gods punish collectively therefore, at least viewed historically, have nothing to do with vindictiveness.⁷⁸ They instead correspond with the structure of historical experiences that can generally be interpreted as divine punishment. For this reason, proclamations of collective guilt in the ancient Near East and in the Hebrew Bible primarily appear within the sphere of historical and political texts that interpret history in relation to divine action manifest within it.

In the conceptual processing of the central events of Israel's history, the collapse of Judah and Jerusalem and the Babylonian exile, something analogous can be observed to what appears in the plague prayers of Muršili and in 2 Sam 21.

sinki: Helsinki University Press, 1988), 1, 19'; 2, vi, 1; 4, 26f'; 5, iv, 14; 6, §105; 9, 21'; 11, 13'. Also worthy of mention is the evidence on the boundary stones (*kudurru*), cf. the material in Furlani, "Familienhaftung," 16–17; for Ugaritic: cf. Ries, "Kollektivhaftung," 185–86; and for Israelite: cf. Lev 26:22, 39–40; Deut 28:24, 32, 41, 50, 58–62.

78. See also Kaminsky, *Responsibility*, 65–66. This is expressed pointedly in the Hittite "Instructions for Temple Officials," trans. Albrecht Goetze, *ANET*, 207–10: "If then on the other hand, anyone arouses the anger of a god, does the god take revenge on him alone? Does he not take revenge on his wife, his children, his descendants, his kin, his slaves, and slave-girls, his cattle (and) sheep together with his crop and will utterly destroy him" (3 [35], *ANET*, 208; cf. Korošec, "Kollektivhaftung," 196–97; Kaminsky, *Responsibility*, 173 n. 99). In the same instruction (*ANET*, 209:13 [45]) it is decreed that anyone who does not carefully extinguish the fire in the temple should be killed by means of a fire together with his descendants. Collective punishment can also be carried out in the case of sacral offenses. The move toward limiting collective punishment to divine jurisprudence can be observed completely analogously in Greece. Collective liability appears within the *θεμῖς* but not within the *νόμος*; cf. Gustave Glotz, *La solidarité de la famille dans le droit criminel en Grèce* (Paris: Fontemoing, 1904), 557–97, esp. 561.

First, in exilic texts of various kinds, one encounters the experience of the catastrophe of 587 BCE presented in conjunction with the notion of intergenerational guilt. In Lamentations, likely contemporaneous with the destruction, one finds in Lam 5:7: “Our fathers sinned, they are no longer. We ourselves must bear their debts.”⁷⁹ Also noteworthy is, naturally, the assimilation in Ezek 18 of the proverb: “Fathers eat sour grapes and the teeth of the sons are set on edge” (18:2; cf. Jer 31: 29).⁸⁰

One commonality is striking in Lam 5:7 and the proverb in Ezek 18:2: both texts emphasize the discontinuity between fathers and descendants. Lamentations 5:7 explicitly emphasizes that the fathers “are no longer [אִם],” and the image in Ezek 18:2 consciously reaches in the direction of the absurd: when one person eats sour grapes, then no one else can have teeth set on edge.⁸¹ This abnormality deserves special weight because neither the speaker in Lam 5:7 nor Ezek 18:2 disputes the validity and efficacy of intergenerational guilt. Its absurdity is instead accepted as it is.

This becomes especially clear for Ezek 18:2 from the subsequent context, which in Ezek 18:19 offers the following citation: “What are you saying: Why does the son not bear the debt of the father?” Ezekiel’s audience do not wonder why the descendants are punished for the guilt of their predecessors but instead the reverse, why this apparently is *not* the case.⁸²

79. This conception also appears elsewhere in Lamentations; cf. 4:6, 13 (3:42–43); see Hans-Peter Müller, Otto Kaiser, and James A. Loader, *Das Hohelied, Klagelieder, Esther*, ATD 16.2 (Göttingen: Vandenhoeck & Ruprecht, 1992), 194.

80. On this, see Nelson Kilpp, “Eine frühe Interpretation der Katastrophe von 587,” *ZAW* 97 (1985): 210–20. On the translation and the differences from Jer 31:29 see Scharbert, *Väterfluch und Vätersegen*, 223; Thomas Krüger, *Geschichtskonzepte im Ezechielbuch*, BZAW 180 (Berlin: de Gruyter, 1989), 358 n. 344; see also May, “Individual Responsibility and Retribution”; Lindars, “Ezekiel and Individual Responsibility,” 452–67.

81. Cf. Levin, *Die Verheissung*, 38–39.

82. “What is difficult and requires explanation is not the punishment of descendants for the guilt of their forefathers, but rather the other way around: Difficult and in need of explanation is the lack of punishment of the sons for guilty fathers” (Adrian Schenker, “Saure Trauben ohne stumpfe Zähne: Bedeutung und Tragweite von Ez 18 und 33,10–20 oder ein Kapitel alttestamentlicher Moraltheologie,” in *Mélanges Dominique Barthélemy: Etudes bibliques offertes à l’occasion de son 60e Anniversaire*, ed. Pierre Casetti, Othmar Keel, and Adrian Schenker, OBO 38 (Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 1981), 457; repr., *Text und Sinn im Alten Testament: Textgeschichte und bibeltheologische Studien*, OBO 103 [Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 1991], 97–118).

These verses make it clear that the first explanation for those suffering from the catastrophe lies in the view of the punishment of the guilt of the forefathers, although the absurdity of this intergenerational connection was emphasized from the outset. Julius Wellhausen describes the circumstance in a different context: “that the sons must atone for the sins of the father” as “the safest of all historical experiences.”⁸³ While this formulation is both abbreviated and exaggerated, it is clear what he means. The consciousness of intergenerational responsibility observable among those impacted by the constellation of collective suffering is not just an artificial construction. It instead repeatedly arises in almost automatic fashion in cultures based implicitly or explicitly on a conception of world order as a whole, even when these connections taken on their own appear absurd.

A small test to check this consideration arises from Egyptian literature, where the motif of the “guilt of the ancestors” is completely absent.⁸⁴ This is probably related to the well-developed conception of the afterlife in ancient Egypt. All accounts need not balance in this world because the world order in Egypt refers both to this life and the afterlife together.

Furthermore, compliance on the level of historical experience of the transposition of the basic rule “no penalty without a law”—that the punishment is not arbitrary but rather that just sanction follows a violation against divine law—is demonstrated in the processing of the exilic fate in the literature of the Hebrew Bible even more clearly than in the plague prayers and in 2 Sam 21. Even the two texts mentioned above, Lam 5:7 and Ezek 18:2, do not state that the punishment was unjust: one’s teeth are set on edge by sour grapes. However, they maintain the point of view that the punishment has fallen upon the wrong people, namely on the innocent sons rather than on the guilty fathers.

The implied protest developed in the wake of the strand of tradition in the Hebrew Bible that became the broadest and most theologically prom-

83. Julius Wellhausen, *Prolegomena zur Geschichte Israels*, 3rd ed. (Berlin: Reimer, 1886), 321. The proverb passed on in Ezek 18:2 (and Jer 31:29) does not attempt to provide any “orientation for ethical behavior” (cf. merely the pf. in Ezek 18:2), and, therefore, neither is it a “proclamation of unbelief” (as argued by Martin Honecker, “Individuelle Schuld und kollektive Verantwortung: Können Kollektive sündigen?,” *ZTK* 90 [1993]: 229 n. 29), but rather an expression from common experience.

84. Cf. Assmann, *Maat*, 150–51; on ch. 125 of the Book of the Dead, see Scharbert, *Väterfluch und Vätersegen*, 44; Assmann, *Maat*, 136–40.

inent manner in literary terms for dealing with the exilic fate, namely, what is called Deuteronomism. While this entity has again become quite debated, one can hardly question that the texts of the Hebrew Bible subsumed under the title Deuteronomistic are, on one hand, formulated through the use of the diction of a particular school of language.⁸⁵ For even this reason alone they can be recognized as related to one another. On the other hand—and this is especially important for our concerns—they display a consistently deep notion of how to interpret Israel's history from the exodus on as a story of guilt that persists for all subsequent generations. Israel had the law from the time of Moses onward, but since that point it constantly violated it, especially the First Commandment. As a result, since the events of 587 BCE, or even since the collapse of the Northern Kingdom in 722 BCE, Israel falls under continuous judgment.⁸⁶ As in the plague prayers and in 2 Sam 21, the reason for the catastrophe is seen as the breach of a treaty—however, not only one that was sworn before God or the gods but rather a treaty concluded with God himself. This was, expressed in Deuteronomistic terms, the covenant concluded at Horeb, whose content constitutes the law given to Israel.⁸⁷

85. Cf. Rainer Albertz, "Wer waren die Deuteronomisten? Das historische Rätsel einer literarischen Hypothese," *EvT* 57 (1997): 319–38; Norbert Lohfink, "Gab es eine deuteronomistische Bewegung?," in *Jeremia und die "deuteronomistische Bewegung,"* ed. Walter Gross, BBB 98 (Weinheim: Beltz Athenäum, 1995), 313–82; repr., *Studien zum Deuteronomium und zur deuteronomistischen Literatur III*, SBAB 20 (Stuttgart: Katholisches Bibelwerk, 1995), 65–142; as well as the note in Konrad Schmid, *Buchgestalten des Jeremiabuches: Untersuchungen zur Redaktions- und Rezeptionsgeschichte von Jer 30–33 im Kontext des Buches*, WMANT 72 (Neukirchen-Vluyn: Neukirchener Verlag, 1996), 31–33.

86. Cf. Odil H. Steck, *Israel und das gewaltsame Geschick der Propheten: Untersuchungen zur Überlieferung des deuteronomistischen Geschichtsbildes im Alten Testament, Spätjudentum und Urchristentum*, WMANT 23 (Neukirchen-Vluyn: Neukirchener Verlag 1967), 125. The Manasseh passages in 2 Kgs 21:3–16; 23:26–27; 24:3–4, 13–14, 20a follow in that they ascribe the guilt for the downfall of Judah and Jerusalem solely to Manasseh, contrary to a completely different conception, so one should no longer categorize them as Deuteronomistic (contra Kaminsky, *Responsibility*, 30–54); cf. Konrad Schmid, "Manasse und der Untergang Judas: 'Golaorientierte' Theologie in den Königsbüchern?," *Bib* 78 (1997): 87–99.

87. On this see Lothar Perlitt, "Sinai und Horeb," in *Beiträge zur Alttestamentlichen Theologie: Festschrift für Walther Zimmerli zum 70. Geburtstag*, ed. Herbert Donner, Robert Hanhart, and Rudolf Smend (Göttingen: Vandenhoeck & Ruprecht, 1977), 302–22.

Historically speaking, it is anachronistic because this construct judges preexilic Israel by a standard that did not even exist during the particular period of judgment. This functional placement of the promulgation of the law in its entirety at the beginning of Israel's history means that the subsequent periods must by necessity be interpreted as falling away from this law. This is nothing other than the legalization of the divine punishment (the exile) after the fact, after what had been so bitterly suffered.

The decisive transformation vis-à-vis Lam 5:7 and Ezek 18:2, according to Deuteronomism, is not the case that the innocent sons must absurdly atone for the guilt of their fathers. The punishment instead results from, as is prominently stated in Deuteronomistic penitential prayers, a guilt that stretched from the fathers into the present generation, illustrated especially clearly in, for example, Neh 9:2: "They confessed their sins [חטא־תיהם] and the debts [עֲוֹנוֹת] of their fathers."⁸⁸ Because exilic and postexilic Israel is disobedient like their forefathers, their guilt has been extended, and they continue to stand under judgment. Therefore, the principle of individual responsibility for guilt remains fundamentally safeguarded, as paradigmatically formulated in Deut 24:16 (cf. 7:9–10). The reason for the emergence of this view of the persistence of guilt in Deuteronomism arises essentially from the reverse conclusion,⁸⁹ which one could already observe in completely analogous fashion in the plague prayers. Israel obviously is under judgment because it is without state and king; therefore, its guilt must persist; and just as in the plague prayers, the recognition of this guilt is the first step toward overcoming it: the Deuteronomistic penitential prayers and their fixed refrain that YHWH is just and Israel is guilty are themselves an expression of reversal, which will lead to the ending of the state of judgment.⁹⁰ In conclusion, even the fact that it will be God himself who will punish the persistent violation of his law is already made known explicitly and clearly under Moses.

The Pentateuch contains a markedly prominent series of literary proclamations that begins with the Decalogue in the book of Exodus (Exod 20:5) and then, while modified, reappears in Exod 34:6–7 and Num 14:18, concluding finally with the Decalogue in Deuteronomy (Deut 5:9; cf. 7:9–

88. See also Dan 9:16: "For our sins and the transgressions of our fathers, Jerusalem and your people are an object of scorn for all that live around us."

89. Cf. Steck, *Israel*, 124–28, 127 n. 2.

90. See Steck, *Israel*, 123–24 and n. 1 (cf. 1 Kgs 8:47–48; Lam 3:40, 42; Lev 26:40; Jub. 1.22).

10).⁹¹ In the “framing proclamations” of the Decalogue in Exod 20:5 and Deut 5:9, it conceives of YHWH, the God of Israel, as the one visiting the guilt of the fathers on the sons of those who “hate” him to the third and fourth generation—this is not accidentally around seventy years⁹² (cf. Jer 25:12; 29:10; Zech 1:12). But YHWH extends his goodness to the thousandth generation of those who “love” him:

You shall not bow down before them [the other gods, Exod 20:3⁹³] and you shall not serve them.
 For I, YHWH, your God, am a jealous God,
 who visits the guilt of the fathers upon the sons until the third and fourth generation of those who hate me,
 but shows favor to the thousandth of those who love me and keep my commands.

91. The literature on this series of statements is diverse, see, e.g., Leonard Rost, “Die Schuld der Väter,” in *Studien zum Alten Testament*, BWANT 101 (Stuttgart: Kohlhammer, 1974), 66–71; Josef Scharbert, “Formgeschichte und Exegese von Ex 34,6f und seiner Parallelen,” *Bib* 38 (1957): 130–50; Robert C. Dentan, “The Literary Affinities of Exodus XXXIV 6f,” *VT* 13 (1963): 34–51; Hermann Spieckermann, “Barmherzig und gnädig ist der Herr...,” *ZAW* 102 (1990): 1–18; Christoph Dohmen, “Der Dekaloganfang und sein Ursprung,” *Bib* 74 (1993): 175–95; Dohmen, “Wenn Texte Texte verändern: Spuren der Kanonisierung der Tora vom Exodusbuch her,” in *Die Tora als Kanon für Juden und Christen*, ed. Erich Zenger, HBS 10 (Freiburg im Breisgau: Herders, 1996), 35–60; Joze Krasovec, “Is There a Doctrine of Collective Retribution in the Hebrew Bible?,” *HUCA* 65 (1994): 35–89; James W. Watts, “The Legal Characterization of God in the Pentateuch,” *HUCA* 67 (1996): 1–14. Generally the evidence is categorized diachronically according to its content, but one should also keep in mind the reading sequence when organizing the texts in terms of literary history: it is hardly accidental that the striking mentions of the forgiveness for sin in Exod 34:6–7 and Num 14:18 immediately follow the two great “fall” narratives of Israel in Exod 32 and Num 13–14 (cf. Erhard Blum, *Studien zur Komposition des Pentateuch*, BZAW 189 [Berlin: de Gruyter, 1990], 191; Thomas Römer, “Le jugement de Dieu et la chute d’Israël selon Exode 32,” *Foivie* 31 [1992]: 3–14) and is, therefore, first conditioned in its position literarily and not necessarily secondarily.

92. Verses such as Num 14:29 and 32:11 presuppose that men were generally already fathers at the age of twenty. If one takes nineteen years as the length of a generation, then the Israelites were fathers at nineteen, grandfathers at thirty-eight, great-grandfathers at fifty-seven, and, finally, great-great grandfathers at seventy-six. Four generations span around seventy years; cf. Ludwig Köhler, *Der hebräische Mensch: Eine Skizze* (Tübingen: Mohr, 1953), 49.

93. See, on this, Walther Zimmerli, “Das zweite Gebot,” in *Gottes Offenbarung: Gesammelte Aufsätze*, TB 19 (Munich: Kaiser, 1963), 234–48.

This text manifestly wrestles with the experience of intergenerational liability for the “guilt of the fathers” on the one hand and the principle of individual responsibility on the other (“of those who hate me”/“of those who love me and keep my commands”). It integrates this wrestling, one might say, into its doctrine of God, who visits the guilt of the fathers into the third and fourth generation of those “who hate me,” encountered—formulated in participial style completely keeping with the genre—as hymnic predicates for YHWH.⁹⁴

The concrete formulation of the subsequent generations’ liability for guilt reappears in the Decalogue, now with more clarity, as the second core piece of Deuteronomistic theology in addition to the interpretation of Israel’s history as the persistent history of guilt. It concerns the possibility, or even the requirement, of human repentance that remains open to every individual, which Ezekiel had already advocated vehemently in Ezek 18 against the proverb of the sour grapes. The two conceptions of persistent and intergenerational guilt and necessary repentance by each individual do not exactly contradict one another, but they certainly grate against each other in substance. The resolution offered by the Decalogue pushes in a direction that rejects all fatalistic or deterministic interpretations of intergenerational liability for guilt and, conversely, turns the delay of punishment into an invitation to repent.⁹⁵ One can recognize this on the small specification לְשֹׂנְאֵי “of those/for those who hate me,”⁹⁶ which, not completely unequivocal syntactically, links with the proclamation of visitation. In grammatical terms, it concerns a paraphrastic genitive, which, according to the sentence structure, refers most readily to the sons and the subsequent third and fourth generations.⁹⁷ The fathers’ guilt is then visited upon the sons into the third and fourth generations, when they “hate” YHWH; however, if they instead “love him and keep his commandments,” then, according to the experience of the closest intergenerational

94. It is often encountered in connection with what Spieckermann (“Barmherzig und gnädig”) calls the “grace formula” [“Gnadenformel”].

95. See Dohmen, “Der Dekaloganfang,” 180.

96. It is often excluded in composition-critical terms, but see Dohmen, “Der Dekaloganfang,” 182–83.

97. See, e.g., Joüon, §130b. Especially the sentence structure contradicts the solution offered by Scharbert (“Formgeschichte und Exegese,” 146) to understand לְשֹׂנְאֵי as a dative to אֵל ... אֲנִי and to translate: “For I, YHWH, am, to the one that hates me” [“Denn ich, Jhwh, bin denjenigen, die mich hassen,...”].

guilt context as asserted in Exod 34:6–7 and Num 14:8, which are without the specification of individual responsibility (though in the present textual order of the Pentateuch those texts are to be read Decalogically through the framing of Exod 20:5 and Deut 5:9), it will be interrupted.

The question of the literary-historical relationship of the conception of intergenerational liability for guilt in Exod 34:6–7 and Num 14:18 to the one in the Decalogue (Exod 20:5; Deut 5:9) and its location in the theological history can be determined only on the basis of sweeping investigations within the framework of the Pentateuch (and beyond), which cannot be accomplished here. In any case, Exod 34:6–7 and Num 14:18 appear to belong to the “finale of Deuteronomistic theology,”⁹⁸ which has already moved on from the basic convictions of Deuteronomism. According to Exod 34:6–7 and Num 14:18, there are experiences of intergenerational guilt that, on the basis of the Decalogue’s specification, no longer have anything to do with the hate and love of the subsequent generations.

27.4. Summary

The inquiry into the legal texts of the ancient Near East and ancient Israel reveals that collective liability hardly plays a role in this sphere. The guilt of the father in the ancient Near East and in the Hebrew Bible instead belongs to the conceptual processing of collective suffering that was interpreted as divinely ordained punishment for guilt, specifically for guilt with regard to God or the gods resulting from breach of a treaty. It represents an early attempt to pose the problem of theodicy and to maintain that the world is ordered and is a divinely directed living environment, even though this interpretation repeatedly appears to become effectively revoked.

The introductory (§27.1) view, which interprets the constellation as the progression from an earlier conception of collective liability to one of individual liability established from the time of Ezekiel as intellectual-historical progress, to some degree compares apples with oranges. The limitation of punishment to the perpetrator is as old as penal law itself. The interpretation of collective suffering as punishment for the guilt of the father is just as ancient as the conception of world order in the ancient Near East in general. Individual liability and collective guilt do not belong to a historical progression. They are instead simultaneous, but each has a

98. Spieckermann, “Barmherzig und gnädig,” 10.

different *Sitz im Leben*. Roughly speaking, criminal law on one hand and the theology of history on the other.⁹⁹

However, one would not need to dissociate these two spheres completely from one another in ancient Near Eastern thought. Specifically, the theological conceptions of history in the ancient Near East and ancient Israel are nourished by the spirit of law, and they interpret the central aspects of historical events in light of punishment and deliverance.¹⁰⁰ No models can be named from the legal literature for the proclamations of intergenerational guilt in the interpretations of history in the Hebrew Bible and the ancient Near East—these proclamations derive primarily from experience rather than from theory. The conception of intergenerational liability for guilt was not and is neither just nor legally proficient. It appears to have been developed already quite early on the basis of experiences that pointed in that direction. In conclusion we ask: What should one hold regarding it from a theological perspective?

One would probably judge a theodicy that attempts to view suffering as punishment for the guilt of the fathers (extended into the present) as seen in Deuteronomism, for example, as naïve. This evaluation seems fundamentally justified—one can raise allegations of heresy against every theodicy that is taken too far¹⁰¹—but it is historically inappropriate. God's

99. In the essential features, one can agree with a different interpretive-historical line, namely that which attempts to distinguish clearly between earthly and divine justice: Cf. Benno Jacob, *Das Buch Exodus*, (Stuttgart: Calwer, 1997), 562; Daube, *Studies*, 166; Verdam, "On ne fera point mourir," 412; Scharbert, *Väterfluch und Vätersegen*, 115 and n. 9; Greenberg, "Some Postulates," 24–25; Levin, *Die Verheissung*, 40–46; see also the note in Furlani, "Familienhaftung," 16: "Both in Babylonia and also in Assyria the F[amily liability] is attested in sacral law until now, that is, it concerns the legal relationships between humans and the deity" ("Sowohl in Babylonien als auch in Assyrien ist bis jetzt nur die F. im Sakralrecht bezeugt, d.h. betrifft die rechtlichen Verhältnisse zwischen dem Menschen und der Gottheit"); as well as Ries, "Kollektivhaftung," 184.

100. See esp. Assmann, *Gedächtnis*, 229–58; see also Hartmut Gese, "Geschichtliches Denken im Alten Orient und im Alten Testament," *ZTK* 55 (1958): 127–45; repr., *Vom Sinai zum Zion: Alttestamentliche Beiträge zur biblischen Theologie*, 2nd ed. (Munich: Kaiser, 1984), 81–98; Lothar Perlitt, *Bundestheologie im Alten Testament*, WMANT 36 (Neukirchen-Vluyn: Neukirchener Verlag, 1969), 38–47; Schmid, *Das Buchgestalten*, 362 n. 34 (bibliography).

101. See Hermann Lübbe, "Theodizee als Häresie," in *Leiden*, ed. Willi Oelmüller et al., *Kolloquium Religion und Philosophie* 3 (Paderborn: Schöningh, 1986), 167–76, esp. 171–72.

acquittal, understood as an objective genitive, at the expense of Israel's collective self-accusation in the historical situation of Deuteronomism represented a significant intellectual accomplishment.¹⁰² It allowed for the maintenance of YHWH's identity under the conditions that otherwise led to the abdication of the deity in the ancient Near Eastern context.

Already the most important innerbiblical theological-historical reaction to this Deuteronomistic conception of treating the question of guilt as a zero-sum game, the Priestly document, resolves the brutal Deuteronomistic linkage between guilt and judgment through God's unconditional devotion to his people on the far side of their guilt. One need merely read the two programmatic texts of the Priestly document: the Noah covenant in Gen 9 and the Abraham covenant in Gen 17.¹⁰³ The fact that this notion concerns a divine acquittal could be understood as a subjective genitive even taken from late Deuteronomism itself and then developed further, probably resulting from concordant experiences.¹⁰⁴

102. See Lothar Perlitt, "Anklage und Freispruch Gottes: Theologische Motive in der Zeit des Exils," *ZTK* 69 (1972): 290–303.

103. On the classic determination of the Chronistic History as a counterposition to the Deuteronomistic position of intergenerational liability for guilt (see, e.g., Gerhard von Rad, *Das Geschichtsbild des chronistischen Werkes*, BWANT 54 [Stuttgart: Kohlhammer, 1930]; von Rad, *Theologie des Alten Testaments*, 2nd ed., 2 vols. [Munich: Kaiser, 1958–1960], 1:345–46 = *Old Testament Theology*, trans. David Stalker, 2 vols. (New York: Harper, 1962–1965), 1:348–49; Martin Noth, *Überlieferungsgeschichtliche Studien: Die sammelnden und bearbeitenden Geschichtswerke im Alten Testament* [Stuttgart: Kohlhammer, 1943], 172–73), see now the more precise (and relativizing) observations and determinations in Brian E. Kelly, *Retribution and Eschatology in Chronicles*, JSOTSup 211 (Sheffield: JSOT Press, 1996).

104. Worthy of mention here are texts with a mixed priestly and Deuteronomistic conception (on this as a whole, see Konrad Schmid, *Erzväter und Exodus: Untersuchungen zur doppelten Begründung der Ursprünge Israels innerhalb der Geschichtsbücher des Alten Testaments*, WMANT 81 [Neukirchen-Vluyn: Neukirchener Verlag, 1999], 301–2), as they are, e.g., in Lev 26 (cf. Norbert Lohfink, "Die Abänderung der Theologie des priesterlichen Geschichtswerks im Segen des Heiligkeitgesetzes: Zu Lev. 26,9.11–13," in *Studien zum Pentateuch*, SBAB 4 [Stuttgart: Katholisches Bibelwerk, 1988], 157–68); Deut 4 (cf. Eckart Otto, "Deuteronomium 4: Die Pentateuchredaktion im Deuteronomiumsrahmen," in *Das Deuteronomium und seine Querbeziehungen*, ed. Timo Veijola, SESJ 62 [Helsinki: Finnish Exegetical Society; Göttingen: Vandenhoeck & Ruprecht, 1996], 196–222) and 1 Kgs 8 (cf. Eep Talstra, *Solomon's Prayer: Synchrony and Diachrony in the Composition of 1 Kings 8,14–61*, CBET 3 [Kampen: Kok Pharos, 1993]).

If one bears in mind the considerations presented here and returns once again to the issue from the introduction, then it can be maintained that the fundamental decision by the Nuremberg Court to insist on the principle of personal liability concerning criminality is not only correct, but, contrary to the views of several lawyers there, also quite ancient.

At the same time, however, it has become clear that the notion of collective liability wherever it is expressed today cannot be met with the retort that because it is criminally irrelevant, therefore it is settled. Neither can one replace it with a moral concept like collective shame, for collective guilt has just as little to do with morality as it does with justice. The consciousness of collective liability for guilt is beyond the moral or judicial possibilities for remedy. So, before one becomes irritated about the more intense rather than dampened controversies concerning World War II now fifty years later with regard to the issue of collective liability such as Daniel Goldhagen's *Hitler's Willing Executioners*,¹⁰⁵ the Wehrmacht Exhibition, or the Nazi gold scandal¹⁰⁶—as contestable as the advocated positions may be—it is worth recognizing that there are problems with and in this world that cannot be accounted for through a good trial and correct rulings.

105. Daniel J. Goldhagen, *Hitler's Willing Executioners: Ordinary Germans and the Holocaust* (New York: Knopf, 1996).

106. See Hermann Lübke, "Der Nationalsozialismus im Bewusstsein der deutschen Gegenwart," in *Die Aufdringlichkeit der Geschichte: Herausforderungen der Moderne bis zum Nationalsozialismus* (Graz: Styria, 1989), 334–50.

The Monetization and Demonetization of the Human Body: The Case of Compensatory Payments for Bodily Injuries and Homicide in Ancient Near Eastern and Ancient Israelite Law Books

28.1.

The legal regulation to pay compensation for injuries and homicide has a long tradition, even longer than the *ius talionis*, which is generally understood as more archaic. Until the middle of the twentieth century, a near canonical perspective reigned about the development of “primitive law” regarding injuries and homicide. According to this line of thinking, the development started with the concept of unlimited revenge (see Gen 4:23–24), proceeded then to the *lex talionis*, which limited the extent of the revenge to the extent of the crime (“an eye for an eye”), and concluded with the system of compensatory payments.¹ While a number of law historians in the first half of the twentieth century were uncomfortable with this linear development,² the 1948 publication of various cuneiform law books, especially the Laws of Eshnunna and the Laws of Ur-Nammu, provided the empirical means to falsify this theory.³

1. See the examples provided by Reuven Yaron, *The Laws of Eshnunna*, 2nd ed. (Jerusalem: Magness; Leiden: Brill, 1988), 263 n. 20; Eckart Otto, “Zur Geschichte des Talions im Alten Orient und Israel,” in *Ernten, was man sät: Festschrift für Klaus Koch zu seinem 65. Geburtstag*, ed. Dwight R. Daniels, Uwe Glessner, and Martin Rösel (Neukirchen-Vluyn: Neukirchener Verlag, 1991), 109.

2. E.g., Arthur S. Diamond, “An Eye for an Eye,” *Iraq* 19 (1957): 151–55; see also Diamond, *Primitive Law: Past and Present* (London: Menueen 1971), 97–102, 142–43, 398–99.

3. Albrecht Goetze, “The Laws of Eshnunna Discovered at Tell Harmal,” *Sumer* 4 (1948): 63–91; F. Rue Steele, “The Lipit-Ishtar Law Code,” *AJA* 52 (1948): 425–26;

Remarkably, the speech of Diodotus formulated by Thucydides (*Hist.* 3.45.3) regarding the execution of the Mytilenaeans because of their revolt against Athens already exhibits an early detractor from this common misunderstanding:

All men are by nature prone to err, both in private and in public life, and there is no law which will prevent them; in fact, mankind has run the whole gamut of penalties, making them more and more severe in the hope that the transgression of the evil-doers might be abated. It is probable that in ancient times the penalties prescribed for the greatest offences were relatively mild, but as transgressions still occurred, in course of time the penalty was seldom less than death. But even so there is still transgression.⁴

The Laws of Eshnunna (LE, ca. 1770 BCE) and the Laws of Ur-Nammu (LU, written in Sumerian, ca. 2100 BCE) are both older than the Laws of Hammurabi (LH, ca. 1750 BCE),⁵ and these older law collections provide many more regulations regarding compensatory payments than the later Laws of Hammurabi, which is famous for its extensive use of the *lex talionis*. Of course, the consequence of these discoveries cannot be just to turn the old linear development scheme of the early history of law upside down. Rather, they show the need for caution about simplistic interpretations.

At any rate, it is safe to assume that these law books were not written in complete and splendid isolation from one another despite different historical and geographical origins. They participate in a shared scribal law culture, and their changes and accentuations can therefore be compared.

Some comments on the legal status of these collections may prove helpful at this point. Although there has been an extended discussion

Samuel N. Kramer "Ur-Nammu Law Code," *Or* 23 (1954): 40–51; see also Yaron, *Laws of Eshnunna*; Martha T. Roth, *Law Collections from Mesopotamia and Asia Minor*, 2nd ed., WAW 6 (Atlanta: Society of Biblical Literature, 1997); for the falsification of the theory, see Otto, "Zur Geschichte des Talions," 108–9.

4. Yaron, *Laws of Eshnunna*, 264 n. 24.

5. For the Laws of Eshnunna, Roth, *Law Collections*, 57; Yaron, *Laws of Eshnunna*, 19–20. For the Laws of Ur-Nammu, Roth, *Law Collections*, 13. For the Laws of Hammurabi, Roth, *Law Collections*, 71; Mervyn E. J. Richardson, *Hammurabi's Law: Text, Translation and Glossary*, BibSem 73 (Sheffield: Sheffield Academic, 2000). Copies of LH have been known since the discovery of Ashurbanipal's library in Nineveh in the mid-nineteenth century; the well-known stela was excavated in Susa in 1901; for variant readings see Richardson, *Hammurabi's Law*, 15–19.

on the function of ancient Near Eastern law collections,⁶ there is a growing consensus that these collections primarily had a descriptive rather than a normative status. They do not contain rules for every life situation. They instead seem to be products of learned scribal traditions that dealt primarily with complicated and extraordinary cases. Everyday conflicts were usually solved according to the customary legal traditions, which did not need to be fixed in writing but were part of a legal common sense.

Therefore, the common designation of ancient Near Eastern law collections as *code* (Code of Ur-Nammu, Code of Lipit-Ishtar, etc.) is rather misleading.⁷ The notion of a code implies normativity and completeness, but these texts are collections of exemplary cases instead of normative law. It is more suitable to call them law books.⁸ They provide “help, but not rules in the finding of justice.”⁹ Their language is informative rather than performative. If these codices were authoritative, their authority was not rooted in their character as codified texts. Rather, it was dependent on the authority of the king who repeatedly reenacted these laws. The case of pre-Demotic ancient Egypt, where no written laws at all are extant (with the one exception of a decree of Eighteenth-Dynasty King Haremhab) is therefore not an exception in the history of ancient Near

6. See, e.g., Roth, *Law Collections*, 4–7; Eckart Otto, “Recht/Rechtstheologie/Rechtsphilosophie I,” *TRE* 28:197–209; Otto, “Recht und Ethos in der ost- und west-mediterranen Antike: Entwurf eines Gesamtbildes,” in *Gott und Mensch im Dialog: Festschrift für Otto Kaiser*, ed. Markus Witte, BZAW 345.1, (Berlin: de Gruyter, 2004) 91–109.

7. Karl-Joachim Hölkeskamp, *Schiedsrichter, Gesetzgeber und Gesetzgebung im archaischen Griechenland*, Historia Einzelschriften 131 (Stuttgart: Steiner, 1999), 16; Samuel Greengus, “Law: Biblical and ANE Law,” *ABD* 4:243; Greengus, “Legal and Social Institutions of Ancient Mesopotamia,” *CANE* 2:471–72.

8. See Cornelis Houtman, *Das Bundesbuch: Ein Kommentar*, DMOA 24 (Leiden: Brill, 1997), 18; Jan Assmann, *Herrschaft und Heil: Politische Theologie in Ägypten, Israel und Europa* (Munich: Beck, 2000), 178–89; Ralf Rothenbusch, *Die kasuistische Rechtssammlung im “Bundesbuch” (Ex 21,2–22.18–22,16) und ihr literarischer Kontext im Licht altorientalischer Parallelen*, AOAT 259 (Münster: Ugarit-Verlag, 2000), 408–73.

9. Assmann, *Herrschaft und Heil*, 179. For the Code of Hammurabi as “memorial”/“commemorative inscription” see Hans-Joachim Gehrke, *Rechtskodifizierung und soziale Normen im interkulturellen Vergleich*, ScriptOralia 66, Tübingen: Narr, 1994), 27–59; Assmann, *Herrschaft und Heil*, 179–80. Unless otherwise noted, all translations are mine.

Eastern law but only a poignant example: the legislative authority was the king and not a text.¹⁰

The LH usually differentiates between three classes of persons, the free person (*awilum*), including men, women, and minors, the “commoner” (*muškenu*) who is hard to define in a specific way but is certainly inferior to the *awilum*, and finally the slaves, both male (*wardu*) and female (*amtu*).¹¹ It is noteworthy that legal regulations concerning bodily injuries to slaves are not treated among the laws about damages of objects or injuries of animals, but among injuries to persons. Furthermore, injuries caused by slaves are separated from injuries caused by animals.¹²

When looking at the LH alone, it is already suggestive that the *lex talionis* is only attested within the *awilum* class:

LH §196: If a man [*awilum*] puts out the eye of another man, his eye shall be put out.

LH §197: If he breaks another man's [*awilum*] bone, his bone shall be broken.

LH §200: If a man [*awilum*] knocks out the teeth of his equal, his teeth shall be knocked out.

Furthermore, LH §200 shows that there are also social differentiations within the *awilum*-class, the talion for knocking out teeth is only applicable for peers (*awilim meħrišu*).¹³

The application of the talion also seems dependent on the amount of intentionality. LH §§206 and 207 regulate cases where injuries or homicide

10. On Haremhab, see Otto, “Recht und Ethos in der ost- und westmediterranen Antike,” 105. See further Greengus, “Legal and Social Institutions of Ancient Mesopotamia,” 244; as the Greeks and Romans later put it: the king as *nomos empsychos* or *lex animate*; Jan Assmann “Gottesbilder–Menschenbilder: Anthropologische Konsequenzen des Monotheismus,” in *Griechenland und Rom, Judentum, Christentum und Islam*, vol. 2 of *Gottesbilder–Götterbilder–Weltbilder: Polytheismus und Monotheismus in der Welt der Antike*, ed. Reinhard Gregor Kratz and Hermann Spieckermann, FAT 2/18 (Tübingen: Mohr Siebeck, 2006), 321.

11. On the *awilum*, see the discussion in Yaron, *Laws of Eshnunna*, 132–46, esp. 139; in German often rendered as “Palasthöriger.” See further Yaron, *Laws of Eshnunna*, 161–65.

12. Gerhard Ries, “Körpervletzung,” *RLA* 6:174.

13. Ries, “Körpervletzung,” 174.

occur “during a brawl” (*ina risbatim*), which is the common wording for acts without intention:

LH §206: If during a brawl one man [*awilum*] strikes another man [*awilum*] and wounds him, then that man [*awilum*] shall swear, “I did not strike intentionally,” and pay the physician.

LH §207: If he dies of his wound, he shall swear similarly, and if he (the deceased) was an *awilum*, he shall pay 30 shekels of silver.

The redactional juxtaposition of these regulations in §§206–207 in the literary vicinity of those in §§196, 197, 200 imply that the extremely severe punishments in §§196, 197, 200 are limited to actions committed intentionally as well (which in these cases seems rather self-evident anyway).

In dealing with criminal actions committed by an *awilum* (“free man”) that harm a member of the lower *muškenu*-class (“commoner”) or a slave, the LH provides regulations for compensatory payments:

LH §198: If he puts out the eye of a commoner [*muškenum*], or breaks the bone of a commoner [*muškenum*], he shall pay 60 shekels of silver.

LH §199: If he puts out the eye of a man’s [*awilum*] slave, or breaks the bone of a man’s slave, he shall pay one-half of its value.

LH §200: If a man [*awilum*] knocks out the teeth of his equal, his teeth shall be knocked out.

LH §201: If he knocks out the teeth of a commoner [*muškenum*], he shall pay 20 shekels of silver.

Several problems arise when trying to determine the economic status of such a fine.

First, it is difficult to determine the monetary value of a shekel of silver because there are regional and temporal differences in the exact weight of a shekel (usually 8.3 grams = 0.28 oz in the Old Babylonian period, but, e.g., 11.3 grams = 0.38 oz in monarchic Israel according to weight stones).¹⁴

14. See M. A. Powell “Weights and Measures,” *ABD* 6:904–8; *CAD* 17, s.v. “šiq̄lu.” On weight stones see Raz Kletter, *Economic Keystones: The Weight System of the Kingdom of Judah*, JSOTSup 276 (Sheffield: Sheffield Academic, 1998); for changes during

Furthermore, for comprehensible reasons the shekel of the dealer when selling was often a little heavier than the shekel used when buying. Finally, the prices could vary significantly in different time periods.¹⁵ For example, Sin-Gashid from Uruk (ca. 2200 BCE) stated that during his reign 3 Kur of grain, 12 minas of wool, 10 minas of copper, or 30 sila of oil should be bought for 1 shekel of silver (1 Kur = 180–300 Sila [72–120 liters = 19–31 gallons]; 1 mina = 60 shekels). Meanwhile under Shamshi-Adad I (ca. 1800 BCE), 1 shekel of silver bought 2 Kur of grain, 12 minas of wool, or 20 sila of oil.¹⁶ However, these prices are probably propagandistically low. In Old Babylonian times, the usual price for grain was 1 Kur of grain for 1 shekel,¹⁷ and a day laborer could earn 6 shekels in one year.¹⁸ A certain idea of the value of silver can also be deduced from exchange rates with bronze, tin, or gold.¹⁹

Table 28.1. Exchange rates between 1 shekel of silver and corresponding quantities bronze, copper, tin, gold (in shekels)

	Bronze	Copper	Tin	Gold
Mari (ca. 1800 BCE)	120	150	8–15	1/4, 1/6
Old Babylonian (eighteenth to twelfth century BCE)	360	180	8–16	1/3, 1/6
NeoBabylonian (seventh to fifth century BCE)	?	180–200	20–100	1/5

Second, it is not completely clear whether these fines were really applied or whether they were rather conceived as maximum amounts. There is only one trial documentation about bodily injuries extant from the Old Babylonian period (UCBC 756).²⁰ In this document the offender who

the history of Judah, see Yigal Ronen, “The Enigma of the Shekel Weights of the Judean Kingdom,” *BA* 59 (1996): 122–25.

15. F. Joannès, “Metalle und Metallurgie. A. I.,” *RIA* 8:96–112.

16. Bruno Meissner, *Babylonien und Assyrien*, Kulturgeschichtliche Bibliothek 3 (Heidelberg: Winter, 1920), 361.

17. Meissner, *Babylonien und Assyrien*, 362.

18. Meissner, *Babylonien und Assyrien*, 163.

19. Joannès, “Metalle und Metallurgie,” 99–100.

20. See Ries “Körperverletzung,” 177.

slapped the cheek of another man is sentenced to pay a sum of 3 1/3 shekels silver, which is significantly less what LE §42 (10 shekels) or LH §203 (60 shekels among members of the *awilum*-class, 10 shekels among the *muškenum*-class) allot for this case.

It is striking that there are hardly any regulations for commoners (*muškenum*) or slaves that commit crimes causing injury or homicide. The only instances are related to offending a person's honor, which physically is a bagatelle but socially a severe crime.²¹

LH §202: If a man [*awilum*] strikes the cheek of a man [*let awilim imtaḥas*] higher in rank than he, he shall receive sixty blows with an ox-whip in public.

LH §203: If a man [*awilum*] strikes the cheek of another man [*let awilim imtaḥas*] of equal rank, he shall pay 60 shekels of silver.

LH §204: If a commoner [*muškenum*] strikes the cheek of another commoner [*let muškenim imtaḥas*], he shall pay 10 shekels of silver.

LH §205: If the slave of a man strikes the cheek of a man [*let awilim imtaḥas*], his ear shall be cut off.

The nonspecific formulation of §195, which also concerns a specific instance of offending a person's honor—namely, one's father's—can be added here:

LH §195: If a son strikes his father, his hand shall be cut off.

The punishment of “cutting off a hand” seems to be applied especially when a specific action is not to be repeated, as becomes clear from the following examples:

LH §218: If a physician performs major surgery with a bronze lancet upon an *awilum* and thus causes the *awilum*'s death, or opens an *awilum*'s temple with a bronze lancet and thus blinds the *awilum*'s eye, they shall cut off his hand.

21. Eckart Otto, *Körperverletzungen in den Keilschriftrechten und im Alten Testament: Studien zum Rechtstransfer im Alten Orient*, AOAT 226 (Kevelaer: Butzon & Bercker; Neukirchen-Vluyn: Neukirchener Verlag, 1991), 67.

LH §226: If a barber shaves off the slave-hairlock of a slave not belonging to him without the consent of the slave’s owner, they shall cut off that barber’s hand.

LH §253: If a man hires another man to care for his field ... if that man steals the seed or fodder and it is then discovered in his possession, they shall cut off his hand.

To sum up this first glance at the LH, the *lex talionis* is specifically and exclusively valid among the *awilum*-class. Assaults perpetrated by members of the *awilum*-class on lower classes are always fined with payments, while assaults by lower classes (like slaves) on members of the *awilum*-class are penalized by punishments above the equality ratio of *lex talionis*, illustrated by looking again at LH §205: If the slave of a man strikes the cheek of a man, his ear shall be cut off.

Table 28.2. Fines and punishments for injuries and homicide in the LH.

	Free man (<i>awilum</i>)	Commoner (<i>muškenu</i>)	Slave (<i>wardu</i>)
Eye	Eye	60 shekels	50% of slave’s value
Bone	Bone	60 shekels	
Teeth	Teeth	20 shekels	
Slap on cheek	60 shekels		
Unintentional homicide	30 shekels	20 shekels	

In the older law books like the Laws of Eshnunna and the Laws of Ur-Nammu, the *lex talionis* plays nothing more than a marginal role. If the case of the death penalty for murder is excluded from the definition of talion, then it is completely absent.²² Be this as it may, only LU §1 provides a tit-for-tat punishment, that is, the death penalty, for homicide.²³

22. See Bernard S. Jackson “The Problem of Exod. XXI 22–25,” VT 23 (1973): 281 n.1: “the term talion is rightly applied only when non-fatal bodily injuries are involved, and where the offender is punished by suffering the same injury as he inflicted. Thus the death penalty for murder is not an example of talion”; followed by Yaron, *Laws of Eshnunna*, 263.

LU §1: If a man commits a homicide, they shall kill that man.

These lawbooks exclusively treat the bodily injuries of the *awilum*- (in the Sumerian cuneiform: *lú*-) class and always provide compensatory payments.²⁴ These payments are measured primarily in accordance with the extent of the damage, while the question of guilt hardly plays any role:²⁵

LU §18: If [a man] cuts off the foot of [another man with ...], he shall weigh and deliver 10 shekels of silver.

LU §19: If a man [*lú*] shatters the ... bone of another man [*lú*] with a club, he shall weigh and deliver 60 shekels of silver.

LU §20: If a man [*lú*] cuts off the nose of another man [*lú*] with [...], he shall weigh and deliver 40 shekels of silver.

LU §22: If [a man knocks out another man's] tooth with [...], he shall weigh and deliver 2 shekels of silver.

Table 28.3. Fines and punishments for homicide and injuries in the LU.

Homicide	Death penalty
Foot	10 shekels
Bone	60 shekels
Nose	40 shekels
Tooth	2 shekels

The LE does not treat homicide in general, only mentioning unintentional homicide (LE §47, see below). It does, however, provide a broad passage on injuries.

23. On LU §1 see Yaron, *Laws of Eshnunna*, 263 n. 22; in response to Raymond Westbrook, *Studies in Biblical and Cuneiform Law*, CahRB 26 (Paris: Gabalda, 1988), 39–83, see the objections of Otto, *Körperverletzungen*, 66 n. 1

24. Yaron, *Laws of Eshnunna*, 286, thinks that the LE makes no legal distinction between *awilum* and *muškenum* for these cases, but this does not seem completely convincing.

25. Ries, “Körperverletzung,” 176.

LE §42: If a man [*awilum*] bites the nose of another man [*awilum*] and thus cuts it off, he shall weigh and deliver 60 shekels of silver; an eye: 60 shekels; a tooth: 30 shekels; an ear: 30 shekels; a slap to the cheek: he shall weigh and deliver 10 shekels of silver.

LE §43: If a man [*awilum*] should cut off the finger of another man [*awilum*], he shall weigh and deliver 20 shekels of silver.

LE §44: If a man [*awilum*] knocks down another man [*awilum*] in the street (?) and thereby breaks his hand, he shall weigh and deliver 30 shekels of silver.

LE §45: If he should break his foot, he shall weigh and deliver 30 shekels of silver.

LE §46: If a man [*awilum*] strikes another man [*awilum*] and thus breaks his collarbone, he shall weigh and deliver 20 shekels of silver.

These regulations do not differentiate explicitly between intentional and unintentional actions. It is unclear what role premeditation plays in these cases, although it is hard to imagine some of the injuries referenced happening unintentionally (e.g., “biting the nose”).²⁶ At any rate, these regulations are conceived according to *Erfolgshaftung* rather than guilt, although it is difficult to determine the rationale of the specific amounts of payments allotted to the different injuries. Is it the loss of working power that is compensated? Or is the loss of a body part as such compensated? The fines for knocking out a tooth or biting the nose, which at least for usual professions do not constitute a diminishment of the ability to work, suggest that, at least in part, the second option is more probable.

The presence or lack of intention seems fully relevant in the case of homicide.

LE §47: If a man [*awilum*], in the course of a brawl [*ina risbatim*], should cause the death of another man [*awilum*], he shall weigh and deliver 40 shekels of silver.

LE §48: And for a case involving a penalty in silver in amounts ranging from 20 shekels to 60 shekels, the judges shall decide his case; however, a capital case is only for the king.

26. See the discussion in Yaron, *Laws of Eshnunna*, 264–67.

By means of an *argumentum e silentio*, it is possible to conclude from LE §47 that the crime of intentional homicide was expected to be punished by death penalty. As a self-evident case, this might not have needed to be mentioned explicitly in the LE. But there was obviously a need to state that capital punishment can only be sentenced by the king, which seems to be an innovation over against LU §1.

Table 28.4. Fines for injuries and unintentional homicide in the LE.

Nose	60 shekels
Eye	60 shekels
Tooth	30 shekels
Ear	30 shekels
Slap to cheek	10 shekels
Finger	20 shekels
Hand	30 shekels
Foot	30 shekels
Collarbone	20 shekels
Homicide without intention	40 shekels

So far, one can say that the stress on the *lex talionis* for injuries among members of the *awilum*-class in the LH is more of an innovation than a traditional element, at least as far as the written sources are concerned. Especially the LU, but also the LE witness to an earlier legal order that punishes deliberate injuries with compensatory payments rather than in a tit-for-tat mode.

The introduction of the talion for the *awilum*-class in the LH is therefore not the result of the domestication of unlimited revenge, but it instead develops out of regulations providing compensatory payments. The talion seems especially designed to protect the members of the *awilum*-class from injuries and, therefore, may be interpreted as a legal element privileging a certain social class, since assaults by these members on other classes were regulated by payments.²⁷

27. Otto, *Körperverletzung*, 74.

Table 28.5. Comparative Listing of fines and punishments for injuries and unintentional homicide in the LU, LE, and LH.

	LU, 2100 BCE	LE, 1770 BCE	LH, 1750 BCE <i>awilum</i> (<i>muškenum</i>)
Nose	40 shekels	60 shekels	
Eye		60 shekels	(60 shekels)
Tooth	2 shekels	30 shekels	(20 shekels)
Ear		30 shekels	
Slap on cheek		10 shekels	60 shekels
Finger		20 shekels	
Hand		30 shekels	
Foot	10 shekels	30 shekels	
(Collar)bone	60 shekels	20 shekels	(60 shekels)
Homicide without intention		40 shekels	30 (20) shekels

When comparing the fines for bodily injuries in the LU, LE, and LH, it becomes evident that the fines are generally higher in the later law books. This may be partly explained by the inflation of silver due to the increase of silver circulation in the Mesopotamian economies between 2100 and 1750 BCE. However, three observations problematize any explanation based on economic history alone.

First, the increase of the fines is not linear: A broken nose costs 40 shekels according to the LU, 60 shekels according to the LE (60 shekels [= 1 mina, ca. 0.5 kg] according to §48 is probably the maximum fine in the LE), which is an increase of 50 percent. A knocked-out tooth is 2 shekels according to the LU, 30 shekels according to the LE, which represents an increase of 1500 percent. A broken foot is compensated by 10 shekels according to the LU and by 30 shekels according to the LE, which is an increase of 300 percent. Therefore, the higher fines cannot be explained by referring to economic changes alone. Apparently, the rise of the fines is due to other conceptual reasons as well.

Second, this might also be corroborated by the introduction of the talion in the LH, which can be interpreted as a drastic intensification of the

fine compared with the payments provided in the LU and the LE. Apparently, the fines take on additional functions beyond merely covering the damage in terms of *Erfolgshaftung*.

Third and last, it can be seen that the higher fines in LE for injuries remain within a significantly smaller range than in the LU. In the LE the range of fines for injuries is 20 to 60 shekels (a factor of 3)—if we put the 10 shekel fine for the slap on the cheek aside for a moment, since it is not an injury but an offense of a person's honor. In the LU the range is much broader, reaching from 2 to 60 shekels (a factor of 30). This also may suggest that the fines are not just determined by the value of the loss.

How are these developments to be interpreted? As already mentioned, the fines in the LE and especially in the LH are apparently based not only on considerations regarding compensation, but also seem to fulfill the function of prohibition and deterrence. The fines are so high that the corresponding crime shall not only be punished when having occurred, but it shall not be committed at all. In this respect, it is interesting to compare the fines for offending a man's honor ("slap to the cheek") in the LE ("10 shekels") and the LH ("60 shekels"): Sixty shekels is not an adequate, but rather a draconic fine for a bagatelle like a slap to the cheek. This is intended to make it an efficient medium to prevent such assaults. In the LE and especially the LH, it is therefore possible to observe a development from a compensatory law toward a criminal law, at least on the *awilum*-level. As for the *muškenu*-level, the law continues to be driven mainly by the principle of compensation.²⁸

The foregoing discussion suggests that, despite the remarkable economic development between the time of the LU, the LE, and the LH—a bit less than four centuries—the perception of the value of the human body (at least of the human body of an *awilum*) seems to have been deeconomized, even demonetized. This is supported by the prohibitively high fines for injuries in the LE, which are all within a relatively small range, and especially the abandonment of the compensatory payments in favor of the talion (among members of the *awilum*-class) in the LH.

One might ask whether the execution of the talion in LH or the high fines in the LE are the more severe punishment, as the raising of the compensatory payments must have equaled a life sentence, whereas the execution of the talion ended the case immediately. However, as in

28. Otto, *Körperverletzung*, 74.

other cultures, the mutilation of a body is a very severe punishment that hardly overrides the economic advantages entailed in the execution of the talion.

28.2

How do the biblical legal regulations, especially in the so-called Covenant Code (CC, Exod 20–23) relate to these findings? When looking at the CC in the Hebrew Bible, a law book originating from the eighth to the sixth century BCE,²⁹ a more complicated picture emerges with regard to fines and punishments for bodily injuries and homicides. Nevertheless, as has often been noted, the CC shares many variously explained commonalities with ancient Near Eastern law books.³⁰ The ancient Near Eastern legal tradition was most likely handed down to and in ancient Israel within the framework of scribal education.³¹ Therefore, it is only to be expected that the legislation of the CC shows similarities to its ancient Near Eastern predecessors, while providing its own interpretations and accentuations. Turning to the punishments for homicide and injuries, there is a strict regulation in the CC providing death penalty for homicide.

Whoever strikes [מכה] a person mortally shall be put to death. (Exod 21:12)

Whether this homicide had been committed intentionally is not stated explicitly, although the action of striking in most cases is not really conceivable as an accident.³² However, the following verses specify:

29. See Yuichi Osumi, *Die Kompositionsgeschichte des Bundesbuches Exodus 20,22b–23,33*, OBO 105 (Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 1991); Frank Crüsemann, *Die Tora: Theologie und Sozialgeschichte des alttestamentlichen Gesetzes* (Munich: Kaiser, 1992), 132–38; Houtman, *Das Bundesbuch*; Rothenbusch, *Die kasuistische Rechtssammlung*.

30. Crüsemann, *Die Tora*, 170.

31. Ludger Schwienhorst-Schönberger, *Das Bundesbuch (Ex 20,22–23,33): Studien zu seiner Entstehung und Theologie*, BZAW 188 (Berlin: de Gruyter, 1990), 260–68; Karel van der Toorn, *Scribal Culture and the Making of the Hebrew Bible* (Cambridge: Harvard University Press, 2007).

32. Houtman, *Das Bundesbuch*, 135–36.

If it was not premeditated but came about by an act of God [והאלהים אנה] [לידו], then I will appoint for you a place to which the killer may flee. But if someone willfully attacks and kills another by treachery, you shall take the killer from my altar for execution. (Exod 21:13–14)

According to this statement, offenders guilty of manslaughter do not have a legal guarantee to be spared the death penalty; however, they do have the chance to flee to a certain cultic place.³³ Exodus 21:12 therefore seems to be a general rule that may be applied to any homicide, be it committed intentionally or not. Yet for homicides resulting from of an “act of God,” there is the legal possibility to avoid the death penalty.

Furthermore, the Covenant Code extends the death penalty to other offenses:

Exod 21:15: Whoever strikes [מכה] father or mother shall be put to death.

Exod 21:16: Whoever kidnaps a person, whether that person has been sold or is still held in possession, shall be put to death.

Exod 21:17: Whoever curses father or mother shall be put to death.

Like the older Mesopotamian law books, the CC also differentiates between different classes of humanity. In ancient Israel, however, there are only two classes: free and slave. Homicide of slaves is treated in Exod 21:20, but the wording of this verse does not make immediately clear how the offender should be punished:

When a slaveowner strikes a male or female slave with a rod and the slave dies immediately, the owner shall be punished [נקם ינקם].

The formulation rendered “he shall be punished” has led some scholars to conclude that a fine is in view, but this is not clearly stated. Moreover, to whom should such a compensatory payment be paid? The slave was the owner’s property, as probably also was his family, at least in most cases.

It is also possible to interpret the regulation in Exod 21:20 as a specification of the overall rule in Exod 21:12: “Whoever strikes a person

33. Houtman, *Das Bundesbuch*, 140–41.

mortally, shall be put to death.” Already the Samaritan Pentateuch reads “shall be put to death” instead of “shall be punished” and thus clarifies the meaning.³⁴ Understood in this way, the intention of Exod 21:20 seems to be the following: The death penalty applies even to cases where the victim is a slave.

However, this interpretation is contested. Cornelis Houtman, for example, thinks otherwise.³⁵ He notices that Exod 21:20 lacks the specific formulation “*מוֹת יוֹמָת*” “shall be put to death.” Nevertheless, the semantics of *נָקַם* still point to the death penalty. Leviticus 26:25 interprets *נָקַם* with the expression “to bring the sword upon you,” that is, killing. Ludger Schwienhorst-Schönberger and Raymond Westbrook think of “vicarious punishment”: “the appropriate member of the creditor’s family is liable to be killed by way of revenge: if the victim were a son—his son; if a daughter—his daughter.”³⁶

In sum, it seems more plausible to assume that Exod 21:20 has the death penalty in mind, although this is not explicitly stated. When read in this way, the continuation in Exod 21:21 also makes good sense:

But if the slave survives a day or two, there is no punishment [*לֹא יָקַם*], for the slave is the owner’s property. (Exod 21:21)

A slave owner needs to be executed when he intentionally and brutally beats his slave so that he or she dies immediately. If the blow does not cause immediate death, then the owner goes free. Exodus 21:20–21 therefore seems to regulate the protection of slaves—it is striking that there is no difference between male or female slaves—from exceeding physical violence on the part of their owners. Furthermore, the specification “the slave is the owner’s property” again suggests that the interpretation of Exod 21:20 as a monetary payment is hardly possible.

Compensatory payments are only provided in the CC for cases involving injuries but neither intention (*יָרִיבֵן* “quarrel”) nor homicide:

34. Houtman, *Das Bundesbuch*, 157; see also Benno Jacob, *The Second Book of the Bible: Exodus* (Hoboken, NJ: Ktav, 1992), 648.

35. Houtman, *Das Bundesbuch*, 158–59.

36. Schwienhorst-Schönberger, *Das Bundesbuch*, 70–74; Westbrook, *Studies in Biblical and Cuneiform Law*, 91.

When individuals quarrel and one strikes the other with a stone or fist so that the injured party, though not dead, is confined to bed, but recovers and walks around outside with the help of a staff, then the assailant shall be free of liability, except to pay for the loss of time, and to arrange for full recovery. (Exod 21:18–19)

The payment in this case covers only what was lost; there is no additional fee. The payment has a pure compensatory function. Apparently, this is sufficient because there are no lasting damages (רפא ירפא “full recovery”).

For more complicated cases (where no full recovery is possible), the following regulation seems to provide a model for decisions:

When people who are fighting injure a pregnant woman so that there is a miscarriage, and yet no further harm [אסון] follows, the one responsible shall be fined what the woman's husband demands, paying as much as the judges determine. If any harm [אסון] follows, then you shall give life for life, eye for eye, tooth for tooth, hand for hand, foot for foot, burn for burn, wound for wound, stripe for stripe. (Exod 21:22–25)

This is, of course, a rather specific case, and it is unlikely that it happened very often. However, it may have served as a sample case that helped to decide similar matters.

The regulation includes the following premise: if a third party is injured in a fight (unintentionally), then a judge may set a specific sum which may be more than merely the amount for covering the damage. The legitimation for this seems to lie in the fact that the pregnant woman is not involved in the fight and therefore carries no responsibility.

This is followed in Exod 21:23–25 by the most prominent mention of the *lex talionis* in the Hebrew Bible: if there are further damages, “then you shall give life for life, eye for eye, tooth for tooth” and so forth.³⁷ What does that mean? First, one must ask about the meaning of the term אסון, often rendered as “harm.” Is it only a harm if death results, or also a harm in a wider sense?³⁸ The term אסון is used in the Hebrew Bible only three other times, all within the Joseph story: in Gen 42:4 (“But Jacob did not

37. See Otto, “Zur Geschichte des Talions”; Axel Graupner, “Vergeltung oder Schadensersatz? Erwägungen zur regulativen Idee alttestamentlichen Rechts am Beispiel des *ius talionis* und der mehrfachen Ersatzleistung im Bundesbuch,” *EvT* 65 (2005): 459–77.

38. See Schwienhorst-Schönberger *Das Bundesbuch*, 89–94; Otto, “Zur Geschichte

send Joseph's brother Benjamin with his brothers, for he feared that *harm* might come to him.”), 42:38 (“But he said, ‘My son shall not go down with you, for his brother is dead, and he alone is left. If *harm* should come to him on the journey that you are to make, you would bring down my gray hairs with sorrow to Sheol.”); and 44:29 (“If you take this one also from me, and *harm* comes to him, you will bring down my gray hairs in sorrow to Sheol.”). These instances seem to reckon with the fact that אסון implies death. But אסון is also found in parts of the deuterocanonical book of Sirach (written ca. 180 BCE), preserved in Hebrew, in Sir 38:18 (“Out of grief results harm [אסון]”); and 41:9 (“if you increase, then for harm [אסון]”), which witness to a broader understanding. However, this evidence does not help much further because the possibility cannot be excluded that the term אסון underwent some changes in meaning between the CC and the book of Sirach. It is impossible to identify the meaning of the term אסון with certainty. Reading Exod 21:22–25 in context, אסון seems to have a lasting, incurable injury to the mother or the future child in view, perhaps even death. It treats a countercase to Exod 21:18–19, where full recovery is possible.

Far more important is a second observation: it is crucial to see that נתן “to give” (Exod 21:23: “then you shall give life for life, eye for eye”) in the CC always refers to paying a specific sum (Exod 21:19, 22, 30; in all these instances the NRSV renders נתן “to give” correctly with “to pay”), like the Akkadian equivalent *nadanu* in the corresponding contexts.³⁹ Where the CC envisions a refund it uses שלם “to refund” (see Exod 21:36, 37; 22:4). But lost health cannot be refunded as such; therefore, there is a payment for the lost value.

The specific formulation in Exod 21:23 therefore seems to point quite clearly to a metaphorical interpretation of the *lex talionis* as an appropriately determined fine. Who should, otherwise, be the addressee of “then you shall give life for life” if this regulation should imply death penalty? Is it the executor? But how should he *give* a life? The process of execution is,

des Talions,” 119–20; Crüsemann, *Die Tora*, 190 n. 266; Houtman, *Das Bundesbuch*, 163–64; Graupner, “Vergeltung oder Schadensersatz?,” 467.

39. See already David Daube, *Studies in Biblical Law* (Cambridge: Cambridge University Press, 1947), 137–38; Hans-Winfried Jüngling, “‘Auge für Auge, Zahn für Zahn’: Bemerkungen zum Sinn und Geltung der alttestamentlichen Talionsformeln,” *TP* 59 (1984): 19–20; Schwienhorst-Schönberger, *Das Bundesbuch*, 101–2; Graupner, “Vergeltung oder Schadensersatz?,” 469–70.

as Exod 21:14 shows, formulated differently. Is it the offender? How shall he give his life? Shall he sacrifice himself?⁴⁰ The verbatim understanding of the Exod 21:23 does not make much sense. These observations suggest that the *lex talionis* here is conceived in a monetized way: you shall pay as much as a life is worth, you shall pay as much as an eye is worth, and so on. But, of course, this interpretation of the *talio* as a *payment* should still be recognizable as an interpretation to the reader, as the concrete formulation shows. Exodus 21:21–25 is both tradition and innovation; it relies on the old tradition of the talion but interprets it in terms of monetary payments.

Interestingly, the Babylonian Talmud's exegesis of this passage strongly insists on the interpretation of the talion as payment and provides several arguments for the conclusion that only payments are a just application of the talion. For example, if the offender has a small eye and the victim has a big eye, how can the small eye compensate for the big one? Or, what if the offender was already blind? (b. B. Qam. 83b–84a)? Therefore, according to the Babylonian Talmud, the talion needs to be understood as referring to payments.

On the other hand, the Greek legislation of Zaleukos, according to Demosthenes (*Timocr.* §140), feels the need to explicitly exclude the possibility of a replacing payment of the talion: "If someone put's out an eye, his own eye shall be put out, and there shall be no possibility of a material substitute."⁴¹

Moreover, such an interpretation of Exod 21:23–25 in the sense of a payment accords with the preceding regulations. Especially the "life for life" sentence understood literally contradicts Exod 21:13 and 21:21. This collision can be avoided if "life for life" is conceived as a regulation including a compensatory payment.

Finally, this interpretation clarifies why the statements in Exod 21:26–27 follow these regulations:

When a slaveowner strikes the eye of a male or female slave, destroying it, the owner shall let the slave go, a free person, to compensate for the eye. If the owner knocks out a tooth of a male or female slave, the slave shall be let go, a free person, to compensate for the tooth. (Exod 21:26–27)

40. Schwienhorst-Schoenberger, *Das Bundesbuch*, 99.

41. Crüsemann, *Die Tora*, 175 n. 203.

Because slaves are not entitled to their own money, they cannot be compensated by payments. They must instead be released if their owner destroys their eye or knocks out one of their teeth. Apparently Exod 21:26–27 follows Exod 21:22–25 in order to provide a subcase.

Finally, the famous regulation about the goring ox (Exod 21:28–32) provides guidance on how to deal with unintentional homicide due to carelessness or negligence.⁴² Again, this case seems quit specific, but it owes its explicit regulation in the CC to the fact that it provides guidelines for similar cases.

When an ox gores a man or a woman to death, the ox shall be stoned, and its flesh shall not be eaten; but the owner of the ox shall not be liable. If the ox has been accustomed to gore in the past, and its owner has been warned but has not restrained it, and it kills a man or a woman, the ox shall be stoned, and its owner also shall be put to death. If a ransom [כופר] is imposed on the owner, then the owner shall pay whatever is imposed for the redemption of the victim's life. If it gores a boy or a girl, the owner shall be dealt with according to this same rule. If the ox gores a male or female slave, the owner shall pay to the slaveowner thirty shekels of silver, and the ox shall be stoned. (Exod 21:28–32)

Accidents resulting from a goring ox do not in and of themselves produce any liability for the owner. But if the owner knows that his ox gores and proceeds to act carelessly, he is liable to the extent of the death penalty. In this case, the accident is not treated as lethal accident, but as homicide. There is the possibility of a payment (ransom), but there is no guarantee for this. The more specific regulation, “If it gores a boy or a girl, the owner shall be dealt with according to this same rule,” clarifies that a ransom shall always be imposed in the case of the death of a child (rather than a vicarious punishment). In contrast to the case of intentional homicide of a slave which is also punished by the death penalty (Exod 21:20), the accidental killing of a slave due to carelessness and negligence does not result in the death penalty for the responsible person, but rather in a payment of thirty shekels.

The “stoning of the ox” may sound atavistic, but the practical sense of this measure is apparently to render another such incident caused by

42. See the corresponding paragraphs in LE §§53–55 and LH §§250–252; Schwienhorst-Schönberger, *Das Bundesbuch*, 129–62.

this ox impossible.⁴³ Other instances of stoning in the Hebrew Bible (Exod 8:22; 17:4; 19:12–13; Josh 7:24–25; 1 Sam 30:6) suggest that the meaning of “stoning” is not a punishment subsequent to a trial, but an immediate action designed to protect the community from a deadly danger. Nevertheless, there may be some religious overtones in Exod 21:28–32 since the ban to eat the flesh of the ox is present as well. But this may be also understood as a fine—the owner is not allowed to take advantage of any benefits the dead ox might provide.

28.3.

What are the profile and the inner logic of these regulations in the CC, especially in light of the legal tradition witnessed by LU, LE, and LH? First, homicide is generally punishable by the death penalty even if the victim is a slave. The loss of a human life, whether of a free man or a slave, cannot be “compensated.” In the legislation of the CC, the idea might have played a role in that every slave is, due to the law of the manumission of the slaves, potentially a free man. Even the lack of intention does not guarantee protection from prosecution and punishment. As mere exceptions, compensatory payments for homicide are only possible where a third party is affected and where no intention is given (pregnant woman). If the case involves carelessness or negligence (goring ox), then the death penalty applies, but the possibility of a ransom remains. It is interesting that the Hebrew Bible is reluctant to guarantee exceptions from death penalty, even when providing the possibility of such exemptions.

Second, it is noteworthy that the CC rarely sets any fixed amounts for payments even when fines are allotted. The fine needs to be fixed by a judge, apparently taking into account the circumstances of the case (amount of intention and/or carelessness), the economic situation of the offender, and the needs of the victim. The only fixed price is the value of a slave (thirty shekels). The mention of the talion in Exod 21:23–25 (bodily injury or homicide of a third party without intention) should be understood as a monetarized transformation, and therefore might be interpreted as a guideline for the amount of the compensatory payments in the following manner: to put out an eye entails a fine corresponding to the value of

43. See the scholarly discussion in Schwienhorst-Schönberger, *Das Bundesbuch*, 132–36.

that eye, but this value cannot be fixed in an absolute, monetarized way. The process of a systemic demonetizing the human body conceived in the ancient Near Eastern law tradition continues into the Hebrew Bible, but the Hebrew Bible seeks solutions other than a literally executed talion in the case of bodily injuries. There are payments, but their amount is not fixed. (So, in another respect, one could also speak of a remonetization.)

Third, there are hardly any regulations extant for cases of bodily injuries among free persons. The CC is especially concerned with cases of injuries to slaves, which are also fined draconically in order to prevent mistreatment of slaves (Exod 21:26–27). An injured slave is rewarded with freedom, which at the same time means a loss of its value (thirty shekels) to the owner.

When looking back over these observations in ancient Near Eastern and ancient Israelite law books, it is noteworthy that the developing economization of a society does not necessarily entail the monetization of all of its parts. There are also counterexamples, especially in the regulations on homicide and bodily injuries in these various law books.

When discussing this issue in terms of monetization, demonetization, and the rest, it needs to be kept in mind that the CC probably developed before coinage found its way to Palestine in the sixth century BCE.⁴⁴ Nevertheless, one should acknowledge that the existence of a monetized economy in a broader sense in ancient Israel and Judah is older. The beginnings of an economy that exceeds the possibilities of a system based primarily on the nonpecuniary exchange of goods and services seems to have coemerged with the formation of the nation state in ancient Israel.⁴⁵ It is, more or less, a shared assumption in recent Hebrew Bible scholarship that Israel became a state in the ninth century BCE. In Judah, which was politically and economically less significant than Israel, this happened about a century later.⁴⁶ Domestic (buildings: 2 Kgs 12:5–15; 22:3–7; horses and chariots: 1 Kgs 10:28) as well as foreign affairs (toll payments: 2 Kgs

44. Uriel Rappaport, "Numismatics," in *Introduction; The Persian Period*, ed. William D. Davies and Louis Finkelstein, CHJ 1 (Cambridge: Cambridge University Press, 1984), 25.

45. Helga Weippert, "Geld," in *Biblisches Reallexikon*, ed. Kurt Galling (Tübingen: Mohr 1977), 88.

46. David W. Jamieson-Drake, *Scribes and Schools in Monarchic Judah: A Socio-archaeological Approach*, JSOTSup 109, Social World of Biblical Antiquity 9 (Sheffield: Sheffield Academic, 1991).

12:19; 14:14; 15:20; 16:8; 18:14) required the king to have certain amounts of money at his disposal, and this certainly contributed to the rise of monetized economy.⁴⁷

However, it is clear that money in a narrower sense of coins does not appear in Judah before the Persian period, which is, of course, also true for the Mesopotamian cultures.⁴⁸ Nevertheless, certain kinds of materials could already be used as money in earlier times—rings, disks, bars, “tongues” (Josh 7:21, 24), and so on, as a number of biblical texts suggest. Since there were no standardized weights and measures for metals, one had to use scales to determine the value of merchandise in relation to the precious material that was used for payment. This preliminary form of money seems to be of Egyptian origin, whereas hacked precious metals (bullion) were used in Mesopotamia, but were also well known in Syria and Palestine: Hacksilver has often been found in excavations (Beth-Shean, Megiddo, Ein-Gedi)⁴⁹ and is also attested in biblical texts (e.g., Isa 46:6; Jer 32:9–10). Moreover, one should keep in mind that there is no clear terminological distinction between money and silver in biblical Hebrew (כֶּסֶף; Ezr 2:69 and Neh 7:70–71 mention *darkmomim*, i.e., drachmai).⁵⁰

This corresponds with the fact that coins in ancient Israel were never fully taken for their par value. Their value was also or even mainly dependent on their concrete weight and material as traces of hacking on several coins and mixed finds of coins and bullion indicate.⁵¹ Zechariah 11:13, a late third-century BCE text, points to the existence of the official melting down of coins in the Jerusalem temple,⁵² a process that makes sense only if the material that was melted down retained its value. Similarly, Herodotus reports on the tribute received by Darius I from the twenty satrapies:

47. For the prehistory of money before the state formations of Israel and Judah, see Karl Jaroš, “Geld,” *NBL* 5:773.

48. Ya’akov Meshorer, *Jewish Coins of the Second Temple Period*, trans. Israel H. Levine (Tel Aviv: Am Hassefer, 1967); G. Mayer, “כֶּסֶף,” *TDOT* 7:270–82; Leo Milendenberg, “Yehud-Münzen,” in *Palästina in vorhellenistischer Zeit*, ed. Helga Weippert, *Handbuch der Archäologie Vorderasien* 2.1 (Munich: Beck, 1988), 719–28; Ulrich Hübner, “Münze,” *NBL* 5:850–53.

49. Weippert, “Geld,” 89.

50. See Mayer “כֶּסֶף”; John W. Betlyon, “Coinage,” *ABD* 1:1076.

51. Willy Schwabacher, “Geld,” *Lexikon der Alten Welt*, ed. Carl Andresen (Zurich: Artemis, 1965), 1:1034–37.

52. Otto Eissfeldt, “Eine Einschmelzstelle am Tempel zu Jerusalem,” in *Kleine Schriften* (Tübingen: Mohr Siebeck, 1963), 2:107–9.

This tribute the king stores up in his treasure house in the following manner: he melts it down and pours it into jars of earthenware, and when he has filled the jars he takes off the earthenware jar from the metal; and *when he wants money he cuts off so much as he needs on each occasion.* (*Hist.* 3.96, emphasis added)

This process of “cutting off money” shows that Darius I himself relied on hacksilver as opposed to coined money.

Moreover, the appearance of coined money under the rule of Darius I seems to be an innovation that was due foremost to political rather than to economic circumstances.⁵³ Already Herodotus notes: “Darius wished to perpetuate his memory by something no other king had previously done” (*Hist.* 4.166). The coining of money seems not only to have been a revolutionary act in the economic realm; it also served as a political demonstration of the power and sovereignty of the Persian king. It is, therefore, not altogether surprising that the first coins of high value in Judah, as late as the Jewish War (66–70 CE: shekels and half-shekels), served the same purpose: they demonstrated the power of the Jewish revolutionaries. The coins of that time show inscriptions like “Jerusalem the holy one,” “Shekel of Israel,” “Liberty of Zion,” and “For the liberation of Zion.”⁵⁴

Therefore, one should keep in mind that coined money even in the Persian period had not yet become an indispensable economic instrument. Coins from the Persian period in ancient Judah are almost exclusively of local origin—coined by the local governor—and represent only small values. Hardly any Persian imperial coinage from Egypt, Cyprus, or Asia Minor (only a few from Greece) has been found.⁵⁵

53. Leo Mildenberg, “Über das Münzwesen im Reich der Achämeniden,” in *Vestigia Leonis: Studien zur antiken Numismatik Israels, Palästinas und der östlichen Mittelmeerwelt*, ed. Ulrich Hübner and Ernst Axel Knauf, NTOA 36 (Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 1998), 3–29; Pierre Briant, *From Cyrus to Alexander: A History of the Persian Empire* (Winona Lake, IN: Eisenbrauns, 2002), 409.

54. Betlyon, “Coinage.”

55. Rappaport, “Numismatics,” 29.

Part 8

The Pentateuch in the History of Ancient Israel's Religion

The Canon and the Cult: The Emergence of Book Religion in Ancient Israel and the Gradual Sublimation of the Temple Cult

The traditional distinction between cultic and book religions has fallen out of vogue because of its alleged privileging of literacy over orality and its indebtedness to a theological, evolutionary model.¹ Nevertheless, it remains sufficiently clear that the religion of Judaism transitioned only gradually from a primarily “ritual coherence” to a primarily “textual” focus.² This claim holds true even if these two aspects remain somewhat interdependent. The fact that this process merits a detailed examination is

1. On the traditional distinction, see, e.g., the classic contributions of Siegfried Morenz, “Entstehung und Wesen der Buchreligion,” *TLZ* 75 (1950): 710–16; repr., *Religion und Geschichte des alten Ägypten: Gesammelte Aufsätze* (Cologne: Böhlau, 1975); Siegfried Hermann, “Kultreligion und Buchreligion: Kultische Funktionen in Israel und in Ägypten,” in *Das ferne und das nahe Wort*, ed. Fritz Maass (Berlin: Töpelmann, 1967), 95–105, which promote this distinction. On its fall from favor, see the considerations of Jörg Rüpke, “Heilige Schriften und Buchreligionen: Überlegungen zu Begriffen und Methoden,” in *Heilige Schriften: Ursprung, Geltung und Gebrauch*, ed. Christoph Bultmann, Claus-Peter März, and Vasilios Makrides (Münster: Aschendorff, 2005), 191–204; Andreas A. Bendlin, “Wer braucht ‘heilige Schriften?’ Die Textbezogenheit der Religionsgeschichte und das ‘Reden über die Götter’ in der griechisch-römischen Antike,” in Bultmann, März, and Makrides, *Heilige Schriften*, 205–28.

2. See Jan Assmann, “Kulturelle Texte im Spannungsfeld von Mündlichkeit und Schriftlichkeit,” in *Religion und Kulturelles Gedächtnis: Zehn Studien* (Munich: dtv, 2000), 124–47, esp. 146. For Judaism as the first book religion, see Carsten Colpe, “Sakralisierung von Texten und Filiationen von Kanons,” in *Kanon und Zensur*, ed. Alaida Assmann and Jan Assmann, *Beiträge zur Archäologie der literarischen Kommunikation 2* (Munich: Fink, 1987), 80–92; Jan Bremmer, “From Holy Books to Holy Bible,” in *Authoritative Scriptures in Ancient Judaism*, ed. Mladen Popović, *JSJSup* 141 (Leiden: Brill, 2010), 327–60, esp. 333–36.

likewise incontestable. One may therefore ask how texts took on functions that previously belonged to the cult during the emergence of book religion in ancient Israel.³

The following argument proceeds in four parts: (1) an assessment of the difference between biblical and historical perspectives on the Hebrew Bible's status as a sacred text; (2) an exploration of the historical situation of the canon's cult-related function following the loss of the temple in 70 CE; (3) an exploration of the similar historical situation resulting from the destruction of the First Temple in 587 BCE and (4) a concluding summary.

29.1. The Biblical versus Historical Views of the Hebrew Bible as Scripture

As is often the case in biblical studies, the biblical portrayal of the formation of "scripture" is not identical to historical perspectives on this process. Generally speaking, the Hebrew Bible does not reason historical-critically but rather resultative-historically: it views historical processes in terms of their present repercussions. The Bible narrates that all Israel was in Egypt and all Israel experienced the exodus, but not because this was actually the case. In contrast the reason for this presentation is so that the exodus will be regarded as the founding event for all Israel. The Pentateuch's interest in the past functions mythically inasmuch as its stories answer important questions by telling stories of origins. Thus, questions about why things are the way they are receive answers in terms of how they have come to be the

3. See further Frank Crüsemann, "Das 'portative' Vaterland," in Assmann and Assmann, *Kanon und Zensur*, 63–79; Odil H. Steck, "Der Kanon des hebräischen Alten Testaments: Historische Materialien für eine ökumenische Perspektive," in *Verbindliches Zeugnis 1: Kanon, Schrift, Tradition*, ed. Wolfhart Pannenberg and Theodor Schneider, *Dialog der Kirchen 7* (Freiburg am Breisgau: Herder, 1992), 11–33; Jan Assmann, *Fünf Stufen auf dem Wege zum Kanon: Tradition und Schriftkultur im frühen Judentum und in seiner Umwelt*, Münstersche theologische Vorträge 1 (Münster: LIT, 1999); Jürgen van Oorschot, "Altes Testament," in *Heilige Schriften*, ed. Udo Tworuschka (Darmstadt: Wissenschaftliche Buchgesellschaft, 2000), 29–56; Konrad Schmid, *Literaturgeschichte des Alten Testaments: Eine Einführung* (Darmstadt: Wissenschaftliche Buchgesellschaft, 2008). See also Walter Burkert, "Zur Rolle der Schriftlichkeit in Kulte des Altertums," in *Normieren, Tradieren, Inszenieren: Das Christentum als Buchreligion*, ed. Andreas Holzem (Darmstadt: Wissenschaftliche Buchgesellschaft, 2004), 25–39.

way they are. A related corollary is that the more basic something is, the further back the Bible anchors its origin in the biblical story.

To a certain extent, this is also true for the Bible's self-presentation as scripture. While the concept of scripture in the Bible is neither preexistent, that is, preceding the creation of the cosmos, nor an original element of the creation, it nevertheless emerges quite early in the story line of the Hebrew Bible, developing gradually from the book of Exodus onward. The Hebrew Bible thus reflects an awareness of the fact that Israel's religion did not begin as a book religion. The law was first given and written down under Moses, whereas the patriarchs of Genesis knew no law.⁴ Postdating the Hebrew Bible, the second-century BCE book of Jubilees responds to this perceived deficiency by giving the heavenly tablets of the law to the patriarchs so that they might live in its light.⁵ However, the Bible itself anchors the law only as far back as the period of Moses, and this law was soon forgotten, reappearing only during Josiah's temple restoration (2 Kgs 22–23). The law again fell into oblivion when catastrophe struck Judah and Jerusalem and was not reintroduced until the period of Ezra's leadership. In short: Moses bequeathed Israel the Jewish book religion that eventually found acceptance under Ezra.⁶

Such is the biblical perspective in briefest form. Viewed historically, however, biblical scholarship has determined that the religion of ancient Israel only developed incrementally into a book religion. According to this perspective, the function of texts in the religious history of ancient Israel varied greatly, revealing a fourfold paradigmatic distinction between (1) religious texts; (2) normative texts; (3) scripture; and (4) a complete canon. Indeed, these functions seem to develop gradually and sequentially, but some of them also exist simultaneously alongside one another.

4. On the retrojection of the notion of obedience to the Torah in texts such as Gen 22:15–18; 26:3b–19, see Beate Ego, "Abraham als Urbild der Toratreue Israels: Traditionsgeschichtliche Überlegungen zu einem Aspekt des biblischen Abrahambildes," in *Bund und Tora: Zur theologischen Begriffsgeschichte in alttestamentlicher, frühjüdischer und urchristlicher Tradition*, ed. Friedrich Avemarie and Hermann Lichtenberger, WUNT 92 (Tübingen, Mohr Siebeck, 1996), 25–40.

5. On this motif, see Florentino García Martínez, "The Heavenly Tablets in the Book of Jubilees," in *Studies in the Book of Jubilees*, ed. Matthias Albani, Jörg Frey, and Armin Lange, TSAJ 65 (Tübingen: Mohr Siebeck, 1997), 243–60.

6. See further Jan C. Gertz, "Moses und die Anfänge der jüdischen Religion," *ZTK* 99 (2002): 3–20.

A religious text is one that functions as a regular component of the cult and is fully integrated in it. An example in the Hebrew Bible appears in Ps 24:7–10:

Lift up your heads, O gates!
 And be uplifted, O eternal doors,
 that the king of glory may enter!
 Who is the king of glory?
 YHWH, the strong and mighty one,
 YHWH, the mighty one in battle.
 Lift up your heads, O gates!
 And lift up, O eternal doors,
 that the king of glory may enter!
 Who is the king of glory?
 YHWH Sabaoth—
 he is the king of glory. *Selah*⁷

This psalm clearly conveys its deep roots in the cult. It seems to have originally belonged in the cultic context of a procession—the entrance of God into the sanctuary—that is accompanied by cultic antiphony.

In contrast, a normative text takes up a critical and prescriptive function with respect to the cult. Here the early, crucial beginnings of the transformation into book religion are visible. A biblical example of a normative text is the role of Deuteronomy in the book-finding story in 2 Kgs 22–23. Whether or not the events in this narrative are historical is irrelevant for this point.⁸ What is crucial is the finding of a book (which, from

7. For the textual variant of 24:7 in LXX, see Peter C. Craigie, *Psalms 1–50*, WBC (Waco, TX: Word, 1983), 210; for a probable preexilic setting of 27:7–10, see Frank L. Hossfeld and Erich Zenger, *Die Psalmen*, 3 vols., NEchtB (Würzburg: Echter, 1993–2012), 1:157.

8. For various perspectives on this historicity of the report, see Hermann Spieckermann, *Juda unter Assur in der Sargonidenzeit*, FRLANT 129 (Göttingen: Vandenhoeck & Ruprecht, 1982); Christoph Uehlinger, “Gab es eine joschijanische Kultreform?,” in *Jeremia und die “deuteronomistische Bewegung,”* ed. Walter Gross, BBB 98 (Weinheim: Beltz Athenäum, 1995), 57–89; William G. Dever, “The Silence of the Text: An Archaeological Commentary on 2 Kings 23,” in *Scripture and Other Artifacts: Essays on the Bible and Archaeology in Honor of Philip J. King*, ed. Michael D. Coogan et al. (Louisville: Westminster John Knox, 1994), 144–68; Martin Arnoeth, “Die antiassyrische Reform Josias von Juda: Überlegungen zur Komposition und Intention von 2 Reg 23:4–15,” *ZABR* 7 (2001): 189–216; Christoph Levin, “Joschija im

the story's viewpoint, seems to be a reference to Deuteronomy) that bears normative status.⁹ According to the narrative sequence of 2 Kgs 22–23, this book triggers Josiah's cultic reform and determines its nature. The story of the book's discovery claims a special origin for it.¹⁰ Its age, authorship, and background seem to have been left opaque in the interest of sacralizing the book and attributing the necessary authority over the cult to it.

Scholars widely agree that Deuteronomy probably belongs, in its literary core, near the end of the seventh century BCE, though there is some controversy about this issue.¹¹ The assumption of a Mosaic background for the book in 2 Kgs 22–23 is probably to be explained historically as an

deuteronomistischen Geschichtswerk," ZAW 96 (1984): 351–71; Herbert Niehr, "Die Reform des Joschija: Methodische, historische und religionsgeschichtliche Aspekte," in Gross, *Jeremia und die "deuteronomistische Bewegung,"* 33–55; Lowell K. Handy, "Historical Probability and the Narrative of Josiah's Reform in 2 Kings," in *The Pitcher Is Broken*, ed. Steven W. Holloway and Lowell K. Handy, JSOTSup 190 (Sheffield: Sheffield Academic, 1995), 252–75. For the persons named in 22:12, see Mordechai Coogan and Hayim Tadmor, *II Kings: A New Translation with Introduction and Commentary*, AB 11 (Garden City, NY: Doubleday, 1988), 282.

9. For an overview of ancient identifications of the book found in 2 Kgs 22 and Deuteronomy, see Hans-Peter Mathys, "Wilhelm Martin Leberecht de Wette's *Dissertatio critico-exegetica* von 1805," in *Biblische Theologie und historisches Denken: Wissenschaftsgeschichtliche Studien aus Anlass der 50. Wiederkehr der Basler Promotion von Rudolf Smend*, ed. Martin Kessler and Martin Wallraff, Studien zur Geschichte der Wissenschaften in Basel NS 5 (Basel: Schwabe, 2008), 171–211.

10. See further Wolfgang Speyer, *Bücherfunde in der Glaubenswerbung der Antike: Mit einem Ausblick auf Mittelalter und Neuzeit*, Hypomnemata 24 (Göttingen: Vandenhoeck & Ruprecht, 1970).

11. For a late seventh-century date, see Bernard Levinson, *Deuteronomy and the Hermeneutics of Legal Innovation* (New York: Oxford University Press, 1997); Eckart Otto, *Das Deuteronomium: Politische Theologie und Rechtsreform in Juda und Assyrien*, BZAW 284 (Berlin: de Gruyter, 1999); Otto, *Das Deuteronomium im Pentateuch und im Hexateuch: Studien zur Literaturgeschichte von Pentateuch und Hexateuch im Lichte des Deuteronomiumrahmens*, FAT 30 (Tübingen: Mohr Siebeck, 2000); interpreters opting for an exilic origin include Ronald E. Clements, "The Deuteronomic Law of Centralisation and the Catastrophe of 587 B.C.," in *After the Exile: Essays in Honour of Rex Mason*, ed. John Barton and David J. Reimer (Macon, GA: Mercer University Press, 1996), 5–25 (earlier authors, 7 n. 4); Reinhard G. Kratz, *Die Komposition der erzählenden Bücher des Alten Testaments*, UTB 2157 (Göttingen: Vandenhoeck & Ruprecht, 2000), 137; Juha Pakkala, "The Date of the Oldest Edition of Deuteronomy," ZAW 121 (2009): 388–401. Pakkala's proposal is critically discussed by Nathan MacDonald, "Issues in the Dating of Deuteronomy: A Response to Juha Pakkala," ZAW 122 (2010): 431–35.

attempt to legitimize and grant authoritative status to a contemporary text. While it would be misleading to speak of a book religion in ancient Israel in the seventh century BCE, one can identify its beginnings in this period. Deuteronomy does not replace the cult but reforms it, seeking particularly to monopolize and centralize it. Its main precept declares both that only YHWH the God of Israel may be the object of worship and that the sole acceptable location for YHWH worship is the centralized sanctuary in Jerusalem. This program enthusiastically propagates the ideals of cultic unity and cultic purity.¹² As an authoritative text in ancient Israel, Deuteronomy thus emerged initially not as a replacement but as a regulator of the cult.¹³ For the first time in the history of Israel and Judah, a text is used to bolster the authority of an institution, the centralized cult. This reverses the earlier pattern, in which texts became authoritative through their association with institutions.¹⁴ Nonetheless, Deuteronomy does not introduce a strict book religion; the cultic functions of Israel's religion remain dominant at this stage.

The dominance of cult religion generally continues for the entire Second Temple period (515 BCE–70 CE), which is rightly regarded as the essential period of formation for the biblical books. The same timespan also constitutes the most important period in the history of Israel for the sacrificial cult: daily sacrifices were the focal point of religious practice. It is difficult to say how the still-developing Hebrew scriptures functioned during this period. Judging by the socioliterary circumstances (to the extent that they can be reconstructed), the chief readers of the Hebrew scriptures were probably the very people who wrote them. In all likelihood, only few copies circulated prior to the Hellenistic period.¹⁵ During

12. Theodor Oestreicher coined the German wordplay on “Kulteinheit” and “Kultreinheit”; see his *Das deuteronomische Grundgesetz*, Beiträge zur Förderung christlicher Theologie 27.4 (Gütersloh: Bertelsmann, 1923), 144.

13. See the discussion in Eckart Otto, “Ersetzen oder Ergänzen von Gesetzen in der Rechtshermeneutik des Pentateuch,” in *Die Tora: Studien zum Pentateuch; Gesamelte Aufsätze*, BZABR 9 (Wiesbaden: Harrassowitz, 2009), 248–56.

14. See David M. Carr, “Canonization in the Context of Community: An Outline of the Formation of the Tanakh and the Christian Bible,” in *A Gift of God in Due Season: Essays on Scripture and Community in Honor of James A. Sanders*, ed. David M. Carr and Richard D. Weis, JSOTSup 225 (Sheffield: Sheffield Academic, 1996), 30 n. 24.

15. See further Norbert Lohfink, “Gab es eine deuteronomistische Bewegung?,” in Gross, *Jeremia und die “deuteronomistische Bewegung”* 313–82; repr., *Studien zum Deuteronomium und zur deuteronomistischen Literatur III*, SBAB 20 (Stuttgart:

the Second Temple period, the Hebrew scriptures probably served primarily to legitimate those groups within the Jerusalem temple responsible for the production and care of the scriptures themselves. However, to conclude that these groups were homogeneous simply because they were all located in one geographical location would be completely mistaken. The Bible's inner diversity calls such a conclusion into question, as it owes its existence largely to the breadth of this milieu.

In comparison, the concept of scripture only appears in the Hebrew Bible in a few late passages. The concept of "scripture" here means a collection of authoritative texts attributed a certain sacrality, but not yet including notions of closedness and textual invariability. The idea that Torah-reading itself is a form of cultic veneration appears clearly in Neh 8:5–8, a text arising from a setting proximate to synagogue worship and that, consequently, hardly fits a date before the second or third century BCE.¹⁶

And Ezra opened the book in the sight of all the people, for he stood higher than all the people. As he opened it, the entire people stood. When Ezra praised YHWH, the great God, all the people responded, "Amen, Amen!" with their hands uplifted.¹⁷ They bowed and threw themselves down before YHWH with their faces to the ground.... So they read from the book, from the Torah of God. Section by section was read, enabling comprehension so that the people understood the reading.

Only following the abrupt and violent end of daily sacrifice as a result of the Romans' destruction of Jerusalem in 70 CE is it possible to say that Judaism, mainly shaped henceforth by the Pharisaic-rabbinic trajectory, transformed into a book religion.¹⁸ Quite diverse events such as the Mac-

Katholisches Bibelwerk, 1995), 65–142; Konrad Schmid, *Buchgestalten des Jeremiabuches: Untersuchungen zur Redaktions- und Rezeptionsgeschichte von Jer 30–33 im Kontext des Buches*, WMANT 72 (Neukirchen-Vluyn: Neukirchener Verlag, 1996), 35–43; and differently, Ernst A. Knauf, "Les milieux producteurs de la Bible hébraïque," in *Introduction à l'Ancien Testament*, ed. Thomas Römer, Jean-Daniel Macchi, and Christophe Nihan, MdB 49 (Geneva: Labor et Fides, 2004), 49–60.

16. See Antonius H. J. Gunneweg, *Nehemia*, KAT (Gütersloh: Gütersloher Verlag, 1987), 112; Arie van der Kooij, "Authoritative Scriptures and Scribal Culture," in Popović, *Authoritative Scriptures in Ancient Judaism*, 55–71, esp. 62–63.

17. LXX^B lacks "with their hands uplifted." For the expression, see Ps 28:2.

18. On the issue of the different possibilities for assessing the continuity between the Pharisees and the rabbis, see Günter Stemberger, "Qumran, die Phariseer und das Rabbinat," in *Antikes Judentum und frühes Christentum: Festschrift für Hartmut*

cabean crisis, the emergence of the synagogue, and the stylization of the Psalter as a literary sanctuary¹⁹ prepared the way for this process. However, the intellectual study of scripture completely took the place of the temple cult only after 70 CE: where the Torah is studied, no temple is necessary.²⁰

Historically speaking, therefore, the emergence of book religion was a process that was fully concomitant with the literary development of the Hebrew scriptures and that manifested itself in the shaping of a canon only after their literary completion. This processual emergence of book religion is, to some extent, inverse to the comparably processual disappearance of traditional cult religion elements that the emerging scripture gradually overtakes and integrates.²¹ The destruction of the temple in 587 BCE and again in 70

Stegemann zum 65. Geburtstag, ed. Bernd Kollmann, BZNW 97 (Berlin: de Gruyter, 1998), 210–24.

19. On the synagogue, see Lester L. Grabbe, “Synagogues in Pre-70 Palestine: A Reassessment,” in *Ancient Synagogues: Historical Analyses and Archaeological Discovery*, ed. Dan Urman and Paul V. M. Flesher, Studia Postbiblica 47.1 (Leiden: Brill, 1995), 17–26; Paul V. M. Flesher, “Palestinian Synagogues before 70 C.E.: A Review of the Evidence,” in Urman and Flesher, *Ancient Synagogues*, 27–39; Birger Olsson and Magnus Zetterholm, eds., *The Ancient Synagogue from Its Origins until 200 C.E.: Papers Presented at an International Conference at Lund University, October 14–17, 2001*, ConBNT 39 (Stockholm: Almqvist & Wiksell, 2003); see also Anders Runesson, *The Ancient Synagogue From Its Origins to 200 C.E.: A Source Book*, AGJU 72 (Leiden: Brill, 2008). On the Psalter, see Erich Zenger, “Der Psalter als Buch: Beobachtungen zu seiner Entstehung, Komposition und Funktion,” in *Der Psalter in Judentum und Christentum*, ed. Erich Zenger, HBS 18 (Freiburg im Breisgau: Herder, 1998), 1–57, esp. 35–48; repr., “Der Psalter als Heiligtum,” in *Gemeinde ohne Tempel = Community without Temple: Zur Substituierung und Transformation des Jerusalemer Tempels und seines Kults im Alten Testament, antiken Judentum und frühen Christentum*, ed. Beate Ego, Armin Lange, and Peter Pilhofer, WUNT 118 (Tübingen: Mohr, 1999), 115–30; Zenger, “‘Ich liebe den Ort, da deine Herrlichkeit wohnt’ (Ps 26:8): Tempeltheologische Semiotisierung des Alltags im Psalter,” in *Gottesstadt und Gottesgarten: Zu Geschichte und Theologie des Jerusalemer Tempels*, ed. Othmar Keel and Erich Zenger, QD 191 (Freiburg im Breisgau: Herder, 2002), 180–206; Bernd Janowski, “Ein Tempel aus Worten: Zur theologischen Architektur des Psalters,” in *The Composition of the Book of Psalms*, ed. Erich Zenger, BETL 238 (Leuven: Peeters, 2010), 279–306.

20. See Stefan Schreiner, “Wo man Tora lernt, braucht man keinen Tempel: Einige Anmerkungen zum Problem der Tempelsubstitution in rabbinischen Judentum,” in Ego, Lange, and Pilhofer, *Gemeinde ohne Tempel*, 371–92.

21. See Karel van der Toorn, ed., *The Image of the Book: Iconic Cults, Aniconism, and the Rise of Book Religion in Israel and the Ancient Near East*, CBET 21 (Leuven: Peeters, 1997).

CE catalyzed both of these processes.²² The first destruction served as a historical confirmation for the prophetic writings; the second, judging by the Psalter, apparently led to the understanding of the Ketuvim as a postcultural complement of how to understand and apply the Law and the Prophets. The following discussion will treat these discernible stages of intellectual history, coinciding with the destruction of the two temples, in reverse historical order.

There is sufficient scholarly agreement that only in this period can we begin speaking of a Hebrew Bible canon. John Barton, for example, has appropriately proposed his distinction between scripture and canon to mark this development.²³ While prior to 70 CE scripture—that is, an ensemble of authoritative writings—existed under the collective heading “the Law and the Prophets” or “Moses and the Prophets” (each with variations), there was still no canon in the sense of a self-contained list of binding documents, unchanging in their content and arranged in the three sections as Torah, *Nevi'im*, and Ketuvim (Law, Prophets, and Writings).²⁴ The first references to a canon as a textually fixed, defined, and arranged stock of authoritative writings appear in Josephus, Philo, and 4 Ezra.²⁵ No convincing textual evidence pointing to the period before 70

22. See Johannes Hahn, ed., *Zerstörungen des Jerusalemer Tempels: Geschehen–Wahrnehmung–Bewältigung*, WUNT 147 (Tübingen: Mohr, 2002).

23. John Barton, *Oracles of God: Perceptions of Ancient Prophecy in Ancient Israel after the Exile* (London: Darton, Longman & Todd, 1986), 57; Eugene Ulrich, “The Non-attestation of a Tripartite Canon in 4QMMT,” *CBQ* 65 (2003): 202–14; see already Willis J. Beecher, “The Alleged Triple Canon of the Old Testament,” *JBL* 15 (1896): 118–28. Comparable, though somewhat more technical, Gerald T. Sheppard has proposed the differentiation of “canon 1” and “canon 2” (“Canon,” in *The Encyclopedia of Religion*, ed. Mircea Eliade [New York: Macmillan, 1987], 62–69, esp. 64–67). Stephen B. Chapman (*The Law and the Prophets: A Study in Old Testament Canon Formation*, FAT 27 [Tübingen: Mohr Siebeck, 2000], 283–85) proposes a similar distinction, but with different profiles and much earlier dates. See further Lee M. McDonald, *The Biblical Canon: Its Origin, Transmission, and Authority* (Peabody, MA: Hendrickson, 2007), 55–58; John J. Collins, “Before the Canon: Scriptures in Second Temple Judaism,” in *Old Testament Interpretation: Past, Present and Future*, ed. James L. Mays, David Petersen, and Kent H. Richards (Nashville: Abingdon, 1995), 225–41, Collins (232) uses the term “core canon.”

24. E.g., see the two-part formulas in 1QS I, 1–2; VIII, 15–16; CD V, 21–VI, 2; 4Q504 (4QDibHam^a) frag. 2 3, 11–13; Luke 16:16, 29, 31; 24:27; Acts 26:22; 28:23; Matt 24:15; and Barton, *Oracles*, 44–46.

25. See the evidence in Peter Höffken, “Zum Kanonbewusstsein des Josephus Flavius in *Contra Apionem* und in den *Antiquitates*,” *JSJ* 32 (2001): 159–

CE is available for a three-part structure of the Hebrew canon proposed in the standard theory of interpreters such as Herbert Ryle and Frants Buhl.²⁶ Up to this point, the primary mark of authority for the texts in question was not their exclusivity but their eminence.²⁷ Moreover, the biblical manuscripts from the Dead Sea provide evidence of a strikingly fluid textual tradition in the first century BCE; there simply is no fixation of the letter of the text.²⁸ Light retouching of the text was even possible in the Pentateuch as late as the Maccabean period.²⁹

77; Yehoshua Amir, "Authority and Interpretation of Scripture in the Writings of Philo," in *Mikra: Text, Translation, Reading and Interpretation of the Hebrew Bible in Ancient Judaism and Early Christianity*, ed. Martin J. Mulder, CRAI 2.1 (Assen: Van Gorcum, 1998), 421–53; Christian Macholz, "Die Entstehung des hebräischen Bibelkanons nach 4Esra 14," in *Die hebräische Bibel und ihre zweifache Nachgeschichte*, ed. Erhard Blum (Neukirchen-Vluyn: Neukirchener Verlag, 1990), 379–91.

26. Herbert E. Ryle, *The Canon of the Old Testament: An Essay on the Gradual Growth and Formation of the Hebrew Canon of Scripture*, 2nd ed. (London: Macmillan, 1984); Frants Buhl, *Kanon und Text des Alten Testaments* (Leipzig: Akademische Buchhandlung, 1891), 13–14.

27. The well-known observation that New Testament writings like Jude 14–15 could also cite, anachronistically speaking, an apocryphal text such as 1 En. 1:9 shows that the basis of appeal was textual eminence not canonical exclusivity during this era.

28. For a discussion of the significance of the Dead Sea findings for the status of the biblical texts at that time, see Eugene Ulrich, *The Dead Sea Scrolls and the Origins of the Bible* (Grand Rapids: Eerdmans, 1999); Edward D. Herbert and Emanuel Tov, eds., *The Bible as Book: The Hebrew Bible and the Judaean Desert Discoveries* (London: British Library, 2002); James C. VanderKam, "Questions of Canon Viewed through the Dead Sea Scrolls," in *The Canon Debate*, ed. Lee M. McDonald and James A. Sanders (Peabody, MA: Hendrickson, 2004), 91–109; and Florentino García Martínez, "Rethinking the Bible: Sixty Years of Dead Sea Scrolls Research and Beyond," in Popović, *Authoritative Scriptures in Ancient Judaism*, 19–36.

29. The Pentateuch's ordering of universal history, which basically follows the genealogies in Gen 5 and 11, clearly lines up with the Maccabean reconsecration of the temple in 164 BCE, four thousand years after the creation. See Konrad Schmid, *Erzväter und Exodus: Untersuchungen zur doppelten Begründung der Ursprünge Israel innerhalb der Geschichtsbücher des Alten Testaments*, WMANT 81; Neukirchen-Vluyn: Neukirchener Verlag, 1999), 20–21; trans. as *Genesis and the Moses Story: Israel's Dual Origins in the Hebrew Bible*, Siphut 3 (Winona Lake, IN: Eisenbrauns, 2010), 18–19.

29.2. The Postcultural Development of the Hebrew Bible Canon after the Destruction of Jerusalem in 70 CE

What did the canonical Hebrew Bible look like after the Romans destroyed Jerusalem in 70 CE, and what description befits the late stages of its formation? Is it possible to clarify the cult-replacing functions of the canon in relation to this event? To begin, a brief foray into the situation before 70 CE will provide a helpful comparison.

As already mentioned, the authoritative writings of the Hebrew Bible seem to reflect an essentially two-part division consisting of “Moses” (or the Law) and the Prophets during the New Testament period. This structure is important hermeneutically for all scripture, revealing a predominant Torah and its historical application in the Prophets. In this period the Prophets seem to have included a more extensive corpus than the books found in this division today. According to the evidence from 11Q5 (11QPs^a) XXVII, 11, the Psalms may have been included, since they were all attributed to David through נבואה, “prophecy” (see also 4 Macc 18:10–19).³⁰ Furthermore, Klaus Koch argues that Daniel may also have been included with the Prophets at this stage.³¹ In any case, this two-part division seems to represent the mainstream perception of the structure of the biblical scripture during this period. However, it is probably necessary to differentiate the various notions of scripture found among the different groups in ancient Judaism.³² Scattered references like those in 4QMMT or Luke 24:44 specifically accentuate the Psalms alongside the Law and the Prophets, but they are rare and not necessarily contradictory: the “and”

30. See further 2 Macc 2:13, which refers to an ensemble of Former and Latter Prophets along with Psalms (“The same thing was reported in the writings and memoirs of Nehemiah, along with how he established a library and collected the books about the kings and prophets, as well as the writings of David and the letters of kings about votive offerings”). Regarding 4Q396 (4QMMT^c), see Reinhard G. Kratz, “Mose und die Propheten: Zur Interpretation von 4QMMT C,” in *From 4QMMT to Resurrection: Mélanges qumraniens en hommage à Émile Puech*, ed. Florentino García Martínez, Annette Steudel, and Eibert J. C. Tigchelaar, STDJ 61 (Leiden: Brill, 2006), 151–76.

31. See esp. Klaus Koch, “Ist Daniel auch unter den Profeten?,” in *Die Reiche der Welt und der kommende Menschensohn: Studien zum Danielbuch* (Neukirchen-Vluyn: Neukirchner Verlag, 1995), 1–15. Koch refers to Matt 24:15; Josephus, *Contra Apionem*; 4Q174 (4QFlor) 2:3. See also Beate Ego, “Daniel und die Rabbinen,” *Jud* 51 (1995): 18–32.

32. See esp. Carr, “Canonization,” 22–64.

between the Prophets and the Psalms may have an exegetical instead of an additive meaning.

Furthermore, the oft-cited prologue of Sirach from the final third of the second century BCE provides no counterargument against the fundamental two-part division of scripture during the surrounding time period. While Sirach does cite writings beyond the Law and the Prophets, they neither have a collective label nor form an official body of scripture. The prologue mainly indicates that the book of Sirach sees itself as one of these other writings, the number of which could easily increase if one felt moved to do so.³³ The evidence from Qumran and the New Testament make the presence of a third canonical section in the sense of the later Ketuvim unimaginable/unlikely prior to 70 CE.³⁴

What, then, was the impetus for the later three-part canon? Why does the third canonical section, Ketuvim, emerge at all? Why is the connection severed between texts like Psalms or Daniel from the heretofore more-broadly composed Prophets? How do the hermeneutics of scripture change with the new tripartite division of Torah, *Nevi'im*, and Ketuvim?

There are various theories regarding the origin of the Ketuvim. The standard theory understands the category Ketuvim as a reservoir of additional authoritative literature after the closing of the Prophets. Roger Beckwith argues that the Ketuvim originated as an instrument for safeguarding tradition during the Maccabean period.³⁵ Albert de Pury and Bernhard Lang view the Ketuvim as an anthology of exemplary Jewish literary genres opposing the pressures of Hellenistic culture.³⁶ What these theories have in common is their neglect of the generally theological

33. See Buhl, *Kanon*, 13–14. In the ancestral hymn of Sir 44–50, the book of Sirach itself enumerates only the configuration of the Torah and *Nevi'im* (see Albert de Pury, “Qohéleth et le canon des Ketubim,” *RTP* 131 [1999]: 163–98, esp. 181 n. 25).

34. See the synopsis (122–24) in Stephen G. Dempster, “Torah, Torah, Torah: The Emergence of the Tripartite Canon,” in *Exploring the Origins of the Bible: Canon Formation in Historical, Literary, and Theological Perspective*, ed. Craig A. Evans and Emmanuel Tov, *Acadia Studies in Bible and Theology* (Grand Rapids: Baker Academic, 2008), 87–127.

35. Roger T. Beckwith, *The Hebrew Bible Canon of the New Testament Church* (London: SPCK, 1985).

36. Albert de Pury, “Zwischen Sophokles und Ijob: Die Schriften (Ketubim); Ein jüdischer Literatur-Kanon,” *Welt und Umwelt der Bibel* 28 (2003): 25–27; de Pury, “Le canon de l’Ancien Testament,” in Römer, *Introduction à l’Ancien Testament*, 17–39; Bernhard Lang, “The ‘Writings’: A Hellenistic Literary Canon in the Hebrew Bible,”

nature of these writings. This is not to propose a fourth theory, especially since the other three are not necessarily incorrect; rather, the theological, argumentative thrust of the Ketuvim should receive greater emphasis. This focus, with all its divergence in detail, reveals that the newly formed Writings provide everyday life application of the Law and the Prophets, which seems to provide a hint at the (proto-)Pharisaic origins of their formation.³⁷

From a canonical perspective, books such as Psalms, Proverbs, Job, and Qoheleth can be read as instructions for pious conduct and flourishing even in the face of life's adversities, which Job both experiences and describes. While all these books exhibit a far wider range of themes and topics if read as stand-alone units, these elements gain prominence when viewed in light of the canon. With corresponding caution, one can characterize the new canonical logic of the sequence Law, Prophets, and Writings as a process of deeschatologizing of the previous Law-and-Prophets connection that pointed to the Torah's application in history. The historical journey of God with God's people presented in the Torah and the Prophets is counterbalanced by the Ketuvim's focus on the individual and his or her well-being and security in daily life.³⁸

Psalm 1, the opening text of the Ketuvim (according, at least, to the majority of attested arrangements of the Hebrew Bible), provides an example of this phenomenon. This psalm seems particularly fitting for this position and goes on to determine the interpretive trajectory for the following Ketuvim:

Blessed the person
who has not walked by the counsel of the wicked,
or has not stood in the way of the sinner,
or has not sat in the company of scoffers;
but their delight is in the Torah of YHWH

in *Canonization and Decanonization*, ed. Arie van der Kooij and Karel van der Toorn, SHR 82 (Leiden: Brill, 1998), 41–65. See also Chapman, *Law and the Prophets*, 287–89.

37. Extrabiblical sources indicate the great interest of the Pharisees in the canon. See Gustav Hölscher, *Kanonisch und apokryph: Ein Kapitel aus der Geschichte des alttestamentlichen Kanons* (Leipzig: Deichertsche Verlagsbuchhandlung, 1905), 5–6; see also Julius Steinberg, *Die Ketuvim—ihr Aufbau und ihre Botschaft*, BBB 152 (Hamburg: Beltz Athenäum, 2006).

38. A certain countermovement to this tendency marks the positioning of Chronicles at the end of the Ketuvim with the Edict of Cyrus in 2 Chr 36:22–23 and the last statement, וַיַּעַל (“Let him go up”), that implies hope in a new exodus and temple.

and in his Torah will they be murmuring day and night.
 So they will be like a tree,
 planted by running waters,
 which will yield its fruit in season
 and whose leaves do not wither.
 So, in all that they will do, they will be prosperous.
 Such is not the case with the wicked;
 they are like chaff, which the wind blows away.
 Therefore, neither will the wicked stand³⁹ in judgment
 nor the sinner in the community of the righteous.
 For YHWH knows the way of the righteous,
 but the way of the wicked perishes.⁴⁰

The first psalm states that those who orient themselves toward the Torah will have successful lives. It is probably deliberate that this text speaks of the Torah as the Torah of YHWH (not the Torah of Moses), taking up the linguistic usage of the Chronicler. This statement makes it clear that Ps 1 is subordinate to the Torah, to which the pious must orient themselves. Alongside the explicit references in Ps 1, implicit references also lend themselves to a canon-theological reading. Psalm 1 first reuses the language of Josh 1:8, where God speaks to Joshua after the death of Moses:

This book of Torah shall not depart from your mouth and you shall murmur on it day and night, so that you may certainly do all that is written in it. For then you will be prosperous in your ways, and then you will have success.⁴¹

39. LXX offers an eschatological interpretation: "neither will the wicked resurrect."

40. See Reinhard G. Kratz, "Die Tora Davids: Psalm 1 und die doxologische Fünfteilung des Psalters," *ZTK* 93 (1996): 1–34; Erich Zenger, "Der Psalter im Horizont von Tora und Prophetie: Kanongeschichtliche und kanonhermeneutische Perspektiven," in *The Biblical Canons*, ed. Jean-Marie Auwers and Henk J. de Jonge, BETL 163 (Leuven: Peeters, 2003), 111–34. Psalm 1 does not seem to have originated specifically for this purpose. 4Q174 3:14 already knows Ps 1 (as 3:18 knows Ps 2). Some manuscripts of Acts 13:33 conspicuously cite Ps 2:7 as a declaration of the "first" psalm.

41. Joshua 1:8 is an integral part of Josh 1:7–9 and cannot be set aside as a later redactional insertion, see the concentric structure in Klaus Bieberstein, *Josua–Jordan–Jericho: Archäologie, Geschichte und Theologie der Landnahmeerzählungen Josua 1–6*, OBO 143 (Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 1995), 390–91.

With this reference back to Joshua, Ps 1 places its readers back into Joshua's position following the death of Moses. One could even say that, on the one hand, Ps 1 ties itself to the period before the conquest, the point in salvation history when Israel was on the brink of success, thereby reopening all possibilities for each individual reader. On the other hand, Ps 1 now charges each individual with responsibility: Torah observance applies to each person and each person's well-being depends on it. The sphere of accountability does not end with leaders like Joshua and the kings but extends to every person.

The fact that the beginning of the Ketuvim (Ps 1) commences at the beginning (Josh 1) rather than the end of the Nevi'im also might mean that the Ketuvim provide a separate, supplementary, and nonprophetic interpretation of the Torah. As Norbert Lohfink has stressed, the logic of a three-part canon is not simply linear in the sense that the Torah, Nevi'im, and Ketuvim successively endorse one another.⁴² Texts such as Ps 1 reveal that the Ketuvim can make direct references to the Torah, virtually bracketing out the Nevi'im.

This claim finds support through a second innerbiblical reference in Ps 1. The imagery of the tree by the streams of water is apparently borrowed from Jer 17:7–8, as the many terminological and literary contacts between these two texts clearly suggest:⁴³

Blessed is the person who trusts in YHWH and YHWH becomes their trust! They shall be like a tree planted by the water⁴⁴ that extends its roots by the stream. It shall not fear when heat comes, and its leaves shall be green; in the year of drought it is not anxious, and it does not cease to yield fruit. (Jer 17:7–8)

The reception of Jer 17:8 in Ps 1 fundamentally reconfigures the judgment prophecy of Jeremiah. For the Ketuvim whoever conducts him- or herself in accordance with Ps 1 does not need to fear the judgment announced and endured by Jeremiah, since such a thing will not happen

42. Norbert Lohfink, "Moses Tod, die Tora und die alttestamentliche Sonntagslesung," *TP* 71 (1996): 481–94.

43. See Bernd Janowski, "Freude an der Tora: Psalm 1 als Tor zum Psalter," *EvT* 67 (2007): 18–31, esp. 24–25.

44. Some manuscripts add פלג before "water" in order to provide a text even more similar to Ps 1:3.

(more precisely, for Ps 1, it will happen not to the Torah-observant but to the wicked).

The reception of Josh 1 and Jer 17 in Ps 1, however, does not mean that the predominantly historical theology of the Nevi'im would have been completely set aside. Psalm 1 instead relativizes the impact that this historical theology has with regard to the individual conduct and rewards for the pious. The imagery of the tree planted by the water more clearly evokes temple theology⁴⁵ (see Ezek 47:1–12; Ps 92:14–16; Sir 24) and points to the postcultural situation of Ps 1: the life-giving divine power of the Temple Mount is not tied to the temple but to Torah study.

Something similar to Ps 1 is also demonstrably present in biblical wisdom literature when read within the context of the entire canon.⁴⁶ Indeed, it is important that the canonical logic of the Ketuvim advocates scriptural behavior as a postcultural *medium salutis* for daily life. While this theological position is already observable prior to 70 CE (Ps 1 itself definitely originates before this date and is presupposed at Qumran),⁴⁷ it only becomes dominant in the wake of the violent discontinuation of temple activities via the Romans, whereas the apocalyptic interpretation of the Law and the Prophets becomes strictly apocryphal.

When the cult is destroyed, its soteriological power shifts to the canon: participation in the cult no longer secures salvation. This power is now accorded to conformance to the canon, including the Ketuvim, which contains instruction for everyday life.⁴⁸ Was there a similar development in the relationship between the cult and scripture six hundred years earlier with the loss of the First Temple in Jerusalem?

45. See Jerome F. D. Creach, "Like a Tree Planted by the Temple Stream: The Portrait of the Righteous in Psalm 1:3," *CBQ* 61 (1999): 34–46.

46. See further Jack T. Sanders, "When Sacred Canopies Collide: The Reception of the Torah of Moses in the Wisdom Literature of the Second-Temple Period," *JSJ* 23 (2001): 121–36.

47. See n. 40, above.

48. This does not preclude the possibility that some of the Ketuvim are aimed specifically at providing ritual legitimacy, e.g., especially in questions of the calendar, see James W. Watts, "Ritual Legitimacy and Scriptural Authority," *JBL* 124 (2005): 401–17; Donn F. Morgan, *Between Text and Community: The Writings in Canonical Interpretation* (Minneapolis: Fortress, 1990); James A. Sanders, *Torah and Canon*, 2nd ed. (Eugene, OR: Cascade, 2005), 111–35.

29.3. Transformation of Temple Theology after the Destruction of Jerusalem in 587 BCE

Before the destruction of the First Temple by the Babylonians, there was neither canon nor scripture in Israel. At most, the religious texts used in the cult prior to the end of the period of the monarchy were normative texts like Deuteronomy. Like Ps 24, the famous Zion hymn of Ps 48 provides an example of a religious cultic text. This psalm is an exponent of the Jerusalem cult tradition that represented a quasi-religious national orthodoxy during the period of the monarchy.⁴⁹ The deity YHWH sits enthroned as king on Zion. This divine presence guarantees the protection and security of Jerusalem and Judah. The cultic recitation of the psalm functioned ritually both to reassure and to secure this concept. Its declaration thus reinforced it and maintained its validity.

The destruction of Jerusalem and its temple in 587 BCE amounted to an event that was both improbable and generally inconceivable according to Ps 48. The theological program of the Jerusalem cult tradition represented by Ps 48 was falsified through this historical event. Nevertheless, the cultic strand of tradition was not simply expunged. It appeared later in modified form in the Priestly source, which transferred the sanctuary from Zion to the mythical Sinai, setting it in the prehistory of Israel and removing from it any political turmoil.⁵⁰ Prophetic traditions prior to P

49. See Odil H. Steck, *Friedensvorstellungen im alten Jerusalem: Psalmen, Jesaja, Deuterocesaja*, ThSt 111 (Zurich: TVZ, 1972), as well as Keel and Zenger, *Gottesstadt und Gottesgarten*; Friedhelm Hartenstein, *Das Archiv des verborgenen Gottes: Studien zur Unheilsprophetie Jesajas und zur Zionstheologie der Psalmen in assyrischer Zeit*, BThSt 74 (Neukirchen-Vluyn: Neukirchener Verlag, 2011).

50. For the “prehistoric” character of the Priestly source, see Norbert Lohfink, “Die Priesterschrift und die Geschichte,” in *Congress Volume, Göttingen 1977*, ed. John A. Emerton, VTSup 29 (Leiden: Brill, 1978), 183–225; repr., *Studien zum Pentateuch*, SBAB 4 (Stuttgart: Katholisches Bibelwerk, 1988), 213–53; Ernst A. Knauf, “Der Exodus zwischen Mythos und Geschichte: Zur priesterschriftlichen Rezeption der Schilfmeer-Geschichte in Ex 14,” in *Schriftauslegung in der Schrift: Festschrift für Odil Hannes Steck zu seinem 65. Geburtstag*, ed. Reinhard G. Kratz, Thomas Krüger, and Konrad Schmid, BZAW 300 (Berlin: de Gruyter, 2000), 73–84; Knauf, “Der Priesterschrift und die Geschichten der Deuteronomisten,” in *The Future of the Deuteronomistic History*, ed. Thomas Römer, BETL 147 (Leuven: Peeters, 2000), 101–18. For the function of Mount Sinai in the Priestly source, see Konrad Schmid, “Sinai in the Priestly Document,” ch. 25 in this volume.

established and appropriated direct ties to the cult tradition. Jeremiah 6:22–26 offers an especially clear example. This text reuses and inverts several themes from Ps 48.⁵¹ The enemies assailing Zion are no longer struck with fear and trembling (“pains [חיל] like a woman in labor [כילודה]”) as found in Ps 48:5–7. This terror (see Jer 6:24: “pains [חיל] like a woman in labor [כילודה]”) falls instead upon the people of Jerusalem, confronting them with an experience earlier reserved only for their enemies. The text no longer depicts Zion as an impregnable cosmic mountain but as a vulnerable, violated woman. This portrayal of Jerusalem as a woman in the Hebrew Bible first appears in Jeremiah and Lamentations, probably in response to the destruction of Jerusalem.⁵²

Jeremiah 6 is not a cultic text, but a text that reflects on the loss of the cult. This observation reflects a crucial shift in the understanding of the text itself: Unlike Ps 48, Jer 6 is not a religious text within a cultic-religious system. It instead marks out a possible notion of scripture relevant for a community outside the context of a mainly cultic environment. This text no longer has the air of doxology but rather one of lamentation. This very point highlights the fundamental transformation that has occurred: the texts no longer celebrate the *gloria dei*, which persists without them, but they instead provide their authors and readers with a new outlook on a henceforth hidden yet available God: God becomes present when invoked. This linguistic gesture of invocation actually becomes the place where an

51. See the detailed argument in Schmid, *Buchgestalten*, 332–33; Schmid, *Literaturgeschichte*, 129–30.

52. See Aloysius Fitzgerald, “The Mythological Background for the Presentation of Jerusalem as a Queen and False Worship as Adultery in the OT,” *CBQ* 34 (1972): 403–16; Fitzgerald, “BTWLT and BT as Titles for Capital Cities,” *CBQ* 37 (1975): 167–83; Odil H. Steck, “Zion als Gelände und Gestalt: Überlegungen zur Wahrnehmung Jerusalems als Stadt und Frau im Alten Testament,” *ZTK* 86 (1989): 261–81; repr., *Gottesknecht und Zion: Gesammelte Aufsätze zu Deuteriojesaja*, FAT 4 (Tübingen: Mohr, 1992), 126–45; Marc Wischnowsky, *Die Tochter Zion: Aufnahme und Überwindung der Stadtklage in den Prophetenschriften des Alten Testaments*, WMANT 89 (Neukirchen-Vluyn: Neukirchener Verlag, 2001); Christl Maier, “Tochter Zion im Jeremiabuch: Eine literarische Personifikation mit altorientalischem Hintergrund,” in *Prophetie in Israel: Beiträge des Symposiums “Das Alte Testament und die Kultur der Moderne” anlässlich des 100. Geburtstags Gerhard von Rads (1901–1971)*, Heidelberg, 18.–21. Oktober 2001, ed. Irmtraud Fischer, Konrad Schmid, and Hugh G. M. Williamson, ATM 11 (Münster: LIT, 2003), 157–67; Maier, *Daughter Zion, Mother Zion: Gender, Space and the Sacred in Ancient Israel* (Minneapolis: Fortress, 2008).

experience of God is possible, a trajectory that will continue later in the construction of the Psalter into a literary sanctuary.⁵³

Therefore, one can argue that the prophetic corpus owes its resultant status as scripture largely to the observable, historical confirmation of the country's demise. This corpus was established as the successor to the preexilic cult religion, the religion whose death generated the prophetic literature's standing as one core element of Israelite religion.⁵⁴ The rise of this literature can be observed in the fact that in Haggai and Zechariah, as well as in Ezra 1–6, the new project of building the Second Temple in the early Persian period required the legitimation and support of prophetic authority: the temple-building project is only successful because of the prophetic support provided by Haggai and Zechariah.⁵⁵ The preexilic subculture of oral prophecy becomes the written foundation for the postexilic religion of early Judaism.

29.4. The Canon and the Cult:

The Cult-Replacing Functions of Scripture and Canon

Looking back, how is the gradual sublimation of the cult understandable in the context of an emerging book religion? First, based on the situation at the end of the Second Temple period in 70 CE, one can maintain that the canon replaced the temple cult to a certain extent (as the rabbis said, "Where the Torah is studied, no temple is necessary").⁵⁶ At the same time, a new cultic connection was established with the canon itself. The handling of the Torah scrolls in rabbinic Judaism exhibits their promotion to the level of sacred objects. This process is observable as early as Neh 8:5–8. Thus, canon and cult are not functionally interchangeable concepts, but the canon can adopt and assimilate particular functions of the cult.⁵⁷

53. See n. 19, above.

54. See further Reinhard G. Kratz, "Die Redaktion der Prophetenbücher," in *Prophetenstudien: Kleine Schriften II*, FAT 74 (Tübingen: Mohr Siebeck, 2011), 32–48; Kratz, *Die Propheten Israels* (Munich: Beck, 2003).

55. See Thomas Krüger, "Esra 1–6: Struktur und Konzept," *BN* 41 (1988): 65–75.

56. See n. 20, above.

57. See n. 28, above.

This is not to say that the process was simple. The fact that during the events surrounding 70 CE the daily sacrifice persisted until the very end shows that the loss of the temple cult must have been a dramatic turning point. Nevertheless, Israel was thoroughly prepared for a life without sacrifice. Consider, for example, the sapiential critique of the cult and the phenomenon of synagogue worship. The withdrawal of the Qumran community implies that “prayers and a perfect lifestyle” (1QS IX, 4–5) could in practice replace the atoning function of sacrifice in some Jewish communities.

Additionally, Israel had lost its temple once before and had, therefore, already practiced a postcultic way of life to some degree. Texts such as Jer 41:4–5 might suggest that the loss of the temple did not put a complete end to cultic practice related to the temple:

On the second day after the murder of Gedaliah, before anyone had heard of it, eighty men from Shechem, Shiloh, and Samaria arrived with shaved beards, torn clothing, and self-inflicted wounds. With them, they had incense and offerings to present at the temple of YHWH.

By the time of the murder of Gedaliah the temple had already been destroyed for several years, yet Jer 41:4–5 reports that northern Israelites were coming to deliver their offerings. Apparently even the destroyed temple square could still fulfill cultic functions. However, a passage like this one cannot obscure the fact that the destruction of the First Temple entailed profound theological consequences, especially with regard to the status of Zion and the temple. These entities were previously viewed as an impregnable cosmic mountain functioning as the location of YHWH’s salvific presence. The metaphor of the woman partially replaces the metaphor of the mountain, and lamentation begins to replace doxology, although these elements still coexist side by side.

The connection to God formerly established by the cult now demands reconceptualization. Linguistic acts, as suggested by Ps 24, were already indispensable elements of the cult actions. After the destruction of the First Temple, they become the most essential component for establishing a connection with God. The lament indeed had a preexilic history in the cult: it was embedded in the psalms of lament, which had their counterpart in the priestly declarations of salvation. Following 586 BCE the lament is removed from this cultic context and begins a linguistic life of its own. It

singlehandedly takes on a functionally equivalent role to the former cult—the establishment of nearness to God.

The formation of Judaism as a book religion was a process facilitated through the destruction of both temples.⁵⁸ This development did not aim at the substitution of traditional religious elements but rather at their transformation and gradual sublimation. In this process the birth of Judaism, the first book religion, can be detected, and it would eventually become the mother of two further book religions.⁵⁹

58. See n. 22, above.

59. See n. 2, above.

Are There Remnants of Hebrew Paganism in the Hebrew Bible? Methodological Reflections on the Basis of Deuteronomy 32:8–9 and Psalm 82

30.1

Julius Wellhausen described the course of ancient Israel's religious history in this manner: "Israelite religion gradually worked its way up out of paganism, this is the very content of its history."¹ Current religious-historical scholarship would sharply and correctly reject the pejorative category of paganism and the evolutionary metaphor of "working up." Linear evolutionary or decadence schemes are hardly appropriate for the description of religious history. If one steps away from these problematic categories and terminology, a considerable portion of current Hebrew Bible scholarship is inclined to see Wellhausen's depiction of the course of Israelite and Judean religious history confirmed in the inscriptions and small religious finds from the monarchic period and also through the results of the literary-historical reconstruction of the Hebrew Bible.

With regard to the archaeological witnesses, the last thirty years have in fact resulted in a, by now broadly documented, picture of the religion (or religions) of ancient Israel and Judah.² This view has basically confirmed

1. Julius Wellhausen, *Israelitische und jüdische Geschichte*, 3rd ed. (Berlin: Reimer, 1897), 34: "Die israelitische Religion hat sich aus dem Heidentum erst allmählich emporgearbeitet; das eben ist der Inhalt ihrer Geschichte."

2. See, e.g., the material in Othmar Keel and Christoph Uehlinger, *Göttinnen, Götter und Gottessymbole: Neue Erkenntnisse zur Religionsgeschichte Kanaans und Israels aufgrund bislang unerschlossener ikonographischer Quellen*, 5th ed., QD 134 (Freiburg im Breisgau: Herder, 2001); Ziony Zevit, *The Religions of Ancient Israel: A Synthesis of Parallactic Approaches* (London: Continuum, 2001); Friedhelm Harten-

Wellhausen's hypothesis: icons of blessing and fertility, protective symbols, symbols of goddesses and deities, and grave offerings all speak a rather clear language in this regard, even if one should guard against simple dichotomies that characterize the monarchic religion of Israel as polytheistic and that of postexilic Judaism as monotheistic. Israel's religious history did not take place in a two-step process but instead consisted of different and parallel developments that exhibit both discontinuity and continuity. In addition, incredible caution is recommended when dealing with the categories of polytheism and monotheism.³ For our concerns, it must suffice to note that iconography and epigraphy provide sufficient indications that monarchic Israel exhibited a premonotheistic religiosity whose transformation in the Persian period and Hellenism in no way gave rise to a uniform shape of monotheism.

Significantly more debated from the consultation of archaeological evidence from the monarchic period are attempts by means of composition criticism to isolate analogous religious-historical bedrock material from ancient Israel. Within the framework of such reconstructions, literary-critical decisions are often controlled by religious-historical comparisons with the so-called environment. While legitimate, two fundamental problems plague this approach. First, there is the danger of circular reasoning: whoever postulates a fundamental concordance between Israel and Judah and their neighbors in the monarchic period will often reconstruct earlier textual stages accordingly and then often find them confirmed in this manner. Second is the problem of methodological narrowness. If one privileges the procedural step of compositional criticism among the exegetical methods, then this model of the reception of earlier fragments of tradition will impose itself more quickly than if one also tested other explanatory possibilities, such as the reception and digestion of traditional motifs or material within the framework of a literarily unified text.

stein, "Religionsgeschichte Israels—ein Überblick über die Forschung seit 1990," *VF* 48 (2003): 2–28.

3. See Gregor Ahn, "Monotheismus und Polytheismus als religionswissenschaftliche Kategorien?," in *Der eine Gott und die Götter: Polytheismus und Monotheismus im antiken Israel*, ed. Manfred Oeming and Konrad Schmid, ATANT 82 (Zurich: TVZ, 2003), 1–10; Konrad Schmid, "Differenzierungen und Konzeptualisierungen der Einheit Gottes in der Religions- und Literaturgeschichte Israels: Methodische, religionsgeschichtliche und exegetische Aspekte zur neueren Diskussion um den sogenannten 'Monotheismus' im antiken Israel," in Oeming and Schmid, *Der eine Gott und die Götter*, 11–38.

The following contribution addresses this methodological problem of the literary reconstructability of religious-historical bedrock from the Hebrew Bible. Is it possible by means of composition criticism to identify ancient Israelite fragments of tradition in the Hebrew Bible that have survived unscathed to some extent, only undergoing superficial recontextualization during the journey into the later orthodoxy of the early Jewish Hebrew Bible?

This question cannot be treated in any manner approaching completeness within this essay. The following remarks limit themselves solely to the critical evaluation of two pertinent texts that scholars have often interpreted as religious-historical bedrock in the sense of a window into polytheism in the Hebrew Bible: Deut 32:8–9 and Ps 82.

Hebrew Bible scholars working in a decidedly religious-historical fashion, such as Otto Eissfeldt and Manfred Weippert, have, not coincidentally, presented this thesis. Eissfeldt states: “the Old Testament contains ... several clear attestations that there was a time in the course of the history of Israelite-Judean religion when El, or Elyon, who was identical with him, represented an authority recognized by Yahweh and therefore over him. Two of them [Deut 32:8–9 and Ps 82] can be named.”⁴ Weippert expresses himself quite similarly.⁵ He, too, considers Deut 32:8–9 and Ps 82 originally polytheistic documents from the monarchic period that have “survived” in the Hebrew Bible.⁶

4. Otto Eissfeldt, “El und Jahwe,” *JSS* 1 (1956): 25–37; repr., vol. 3 of *Kleine Schriften* (Tübingen: Mohr 1966), 389–90: “Das Alte Testament enthält ... ein paar eindeutige Zeugnisse dafür, dass es im Verlauf der israelitisch-jüdischen Religionsgeschichte eine Zeit gegeben hat, da El oder der mit ihm identische ‘Äljon eine auch von Jahwe anerkannte und insofern über ihm stehende Autorität gewesen ist. Zwei von ihnen mögen genannt sein.”

5. Manfred Weippert, “Synkretismus und Monotheismus: Religionsinterne Konfliktbewältigung im alten Israel,” in *Jhwh und die anderen Götter: Studien zur Religionsgeschichte des antiken Israel in ihrem syrisch-palästinischen Kontext*, FAT 18 (Tübingen: Mohr Siebeck, 1997), 1–24; see also Ernst Axel Knauf, *Die Umwelt des Alten Testaments*, NSK.AT 29 (Stuttgart: Katholisches Bibelwerk, 1994), 125; Knauf, “The Glorious Days of Manasseh,” in *Good Kings and Bad Kings*, ed. Lester L. Grabbe, LHBOTS 393 (London: T&T Clark, 2005), 164–88, esp. 173–74; Meindert Dijkstra, “El, the God of Israel–Israel, the People of YHWH: On the Origins of Ancient Israelite Yahwism,” in *Only One God? Monotheism in Ancient Israel, and the Veneration of the Goddess Asherah*, ed. Bob Becking et al., BibSem 77 (Sheffield: Sheffield Academic, 2001), 81–126, esp. 94–95.

6. Weippert, “Synkretismus und Monotheismus,” 5, 10.

The following discussion investigates both texts closely in order to evaluate the plausibility of this line of interpretation. Its results show that the alternatives polytheism versus monotheism prove deficient in terms of the histories of religion and theology. One cannot sufficiently describe Deut 32:8–9 and Ps 82 with either label. As will be demonstrated, they concern polytheizing but monotheistic texts. Rather than simply eliminating the legacy of polytheism, they recall it and even reanimate it in an altered form under monotheistic conditions.

30.2

30.2.1. Deuteronomy 32:8–9

בהנחל עליון גוים בהפרידו בני אדם יצב גבלת עמים למספר בני ישראל
(8) As the Most High gave the nations as a heritage,⁷ as he apportioned the people, he established the boundaries of nations according to the number of the sons of Israel

4Q37 (4QDeutⁱ): [למספר] בני אלוהים
according to the number of the divine beings;

LXX: κατὰ ἀριθμὸν ἀγγέλων θεοῦ
according to the number of the angels of God

כי חלק יהוה עמו יעקב חבל נחלתו
(9) Indeed, YHWH's portion is his people,⁸ Jacob the lot of his possession.

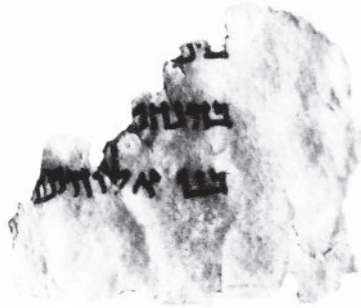
This well-known section offers a text-critical variant that is just as famous in 32:8: MT reads למספר בני ישראל “according to the number of the sons of Israel.”⁹ This reading was probably not original, as a fragment from the

7. For the translation see Weippert, “Synkretismus und Monotheismus,” 5 n. 15 with reference to Isa 49:8; Knauf, “Glorious Days,” 173 n. 36.

8. Weippert prefers LXX and translates “That Yahweh's portion became his people” (“Da wurde Jahwes Anteil sein Volk”) (“Synkretismus und Monotheismus,” 5 n. 17).

9. See the detailed discussion in Paul Sanders, *The Provenance of Deuteronomy* 32, OTS 37 (Leiden: Brill, 1996), 154–59 (and bibliography); Innocent Himbaza, “Dt 32,8: Une correction tardive des scribes; Essai d'interprétation et de datation,” *Bib* 83 (2002): 427–548. Noteworthy are the related differences between Deut 32:43 (4Q44 [4QDeut^a]; LXX); see also Paul Winter, “Der Begriff ‘Söhne Gottes’ im Moselied Dtn

manuscript 4Q37 shows, which instead attests בני אלוהים, that is—initially attempting to translate as neutral as possible—“according to the number of divine beings.”¹⁰



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Fig. 30.1. 4Q37 (cf. Ulrich, *Qumran Cave 4.IX*, pl. XXIII). © Oxford Publishing Lmt. Reproduced with permission of the Oxford Publishing Lmt. through PLSclear.

The *Vorlage* of the Septuagint also presupposes this reading. The Septuagint offers κατὰ ἀριθμὸν ἀγγέλων θεοῦ, whereby, according to Gen 6:2, 4; Job 1:6; 2:1; 38:7, ἀγγέλων θεοῦ serves as a thoroughly common rendering of בני אל[ו]הים.¹¹ The content of the resulting parallelism between בני אדם in 32:8a and בני אל[ו]הים in 32:8b supports the originality of this reading.

Both Eissfeldt and Weippert have suggested understanding this text-critical variant in terms of the history of religion: it assimilates a pre-Yahwistic fragment mentioning the Most High (Heb. Elyon) in 32:8

32,1–43,” ZAW 67 (1955): 40–48; Winter, “Nochmals zu Deuteronomium 32,8,” ZAW 75 (1963): 218–23.

10. See Eugene Ulrich et al., *Qumran Cave 4.IX: Deuteronomy, Joshua, Judges, Kings*, DJD XIV (Oxford: Clarendon, 1995), 90 and pl. XXIII, frag. 34; Julie A. Duncan, “Considerations of 4QDt^l in the Light of the ‘All Souls Deuteronomy’ and Cave 4 Pylactery Texts,” in *The Madrid Qumran Congress: Proceedings of the International Congress on the Dead Sea Scrolls, Madrid 18–21 March, 1991*, ed. Julio C. Treballe Barrera, STDJ 11.1 (Leiden: Brill, 1992), 212, 361. Patrick W. Skehan, “A Fragment of the ‘Song of Moses’ (Deut. 32) from Qumran,” BASOR 136 (1954): 12–15, still assigns the fragment to 4Q44.

11. Cf. Himbaza, “Dt 32,8: Une correction tardive des scribes,” 533. Several Greek textual witnesses offer υἱῶν “sons” instead of ἀγγέλων “angel.”

and YHWH in 32:9 that originally designated two different deities.¹² The high god El hides behind the title Elyon, and YHWH should be seen as one of a number of national deities subordinate to him.

In this case, Deut 32:8–9 originally spoke of the high god El, who apportioned the nations to the lower gods, including the people of Israel to YHWH. In this view, YHWH was not originally the chief god but one of a number of subaltern functionaries in this pantheon. Since the rise of monotheism in the exilic period, Deut 32:8–9 then referred exclusively to YHWH. From this point on, Elyon concerned none other than YHWH, and YHWH was considered the high god who directly governed Israel.¹³

One must admit without question that Deut 32:8–9 has been interpreted in appealing ways both from text-critical and religious-historical perspectives.¹⁴ However, a closer look shows the impossibility of this

12. Eissfeldt “El und Jahwe,” 390; cf. Eissfeldt, *Das Lied des Mose Deuteronomium 32,1–43 und das Lehrgedicht Asaphs Psalm 78 samt einer Analyse der Umgebung des Moselieds*, Berichte über die Verhandlungen der Sächsischen Akademie der Wissenschaften zu Leipzig Philologisch-historische Klasse 104–105 (Berlin: Akademie, 1958); Weippert, “Synkretismus und Monotheismus,” 5. Another (unconventional) direction is taken by Julian Morgenstern, “The Mythological Background of Psalm 82,” *HUCA* 14 (1939): 29–126, esp. 120–21, who interprets Ps *82 in light of the myth of the fall of the angels (cf. Gen 6:1–4; 1 En. 6–16), thereby understanding Elyon and YHWH as different figures in Ps 82, also advocating for a late date around 500 BCE. On Morgenstern’s position see Roger T. O’Callaghan, “A Note on the Canaanite Background of Psalm 82,” *CBQ* 15 (1963): 311–14.

13. In addition to Deut 32:8, the other attestations of Elyon that have been brought forward in Gen 14:18 and Num 24:16 were often viewed previously as independent and originally unconnected to YHWH. Now, however, they can be seen with certainty as comparatively late literary interpretations that never had a different deity other than YHWH in view; cf. on Gen 14, e.g., the otherwise unconventional work by Benjamin Ziemer, *Abram–Abraham: Kompositionsgeschichtliche Untersuchungen zu Gen 14, 15 und 17*, BZAW 350 (Berlin: de Gruyter, 2005), 119–21; on Num 24:16, see Markus Witte, “Der Segen Bileams: Eine redaktionsgeschichtliche Problemanzeige,” in *Abschied vom Jahwisten: Die Komposition des Hexateuch in der jüngsten Diskussion*, ed. Jan C. Gertz, Konrad Schmid, and Markus Witte, BZAW 315 (Berlin: de Gruyter, 2002), 191–213, esp. 206.

14. Cf. Hans-Jürgen Zobel, “עֲלִיֹן,” *TDOT* 11:121–39, esp. 127–29; Herbert Niehr, *Der höchste Gott: Alttestamentlicher JHWH-Glaube im Kontext syrisch-kanaanäischer Religion des 1. Jahrtausends v. Chr.*, BZAW 190 (Berlin: de Gruyter, 1990), 80–81; cf. also E. Theodore Mullen, *The Assembly of the Gods: The Divine Council in Canaanite and Early Hebrew Literature*, HSM 24 (Chico, CA: Scholars Press, 1980), 202–4; Joseph Blenkinsopp, “Yahweh and Other Deities,” in *Treasures of Old and New: Essays*

interpretation as a “window into polytheism.” While the text of Deut 32:8 should indeed be corrected according to 4Q37 and LXX, this approach is correct thus far. However, this correction does not catapult it back into a premonotheistic world in any way. The text-critically adjusted text of Deut 32:8–9 does not represent a pre-Yahwistic polytheism but instead adapts this polytheism from the outset in a monotheistic sense.

How can this be substantiated? First, the context of Deut 32:8–9 itself—the Song of Moses in Deut 32 as a whole—raises skepticism with regard to an early historical and theological placement. Deuteronomy 32 belongs among the texts of the Hebrew Bible with controversial assessments in exegesis with regard to their formation history.¹⁵ As a whole chapter in any case, the piece cannot be placed in the preexilic period. First, its continual religious-historical opposition between YHWH and foreign idols (32:12, 16–17, 21, 37, 39), which presupposes a well-formulated monotheism (esp. 32:30, 37, 39), demonstrates this conjecture. Second, the judgment of the enemy (32:40–43) and the salvific turn of the late-Deuteronomistic conception of history determine the overall progression of Deut 32.¹⁶

Now, one could still maintain that Deut 32:8–9 concerns an early fragment of tradition in an otherwise-late text. However, the theological profile of Deut 32:8–9 itself speaks against this view. While the association of a divine assembly of various national deities under the hegemony of “Elyon” definitely imposes itself as a possible interpretation, such a view is also accompanied by strong reservations. First, it is striking that this text is not a customary cultic text like those one can find, for example, in the early psalms. Stated quite simply, it offers theology rather than religion. Following Adrian Schenker, one can virtually maintain: it formulates a systematic theology of the history of religion that explains the diversity of religions among the nations.¹⁷ This reflexive and systematic orientation raises doubt that one arrives here at the bedrock of the history of Israelite religion.

in the *Theology of the Pentateuch* (Grand Rapids: Eerdmans, 2004), 67–84, esp. 74 as well as the literature discussed in Simon B. Parker, “The Beginning of the Reign of God: Psalm 82 as Myth and Liturgy,” *RB* 102 (1995): 534 n. 8.

15. See the overview in Sanders, *Provenance*.

16. See still Odil H. Steck, *Israel und das gewaltsame Geschick der Propheten*, WMANT 23 (Neukirchen-Vluyn: Neukirchener Verlag, 1967).

17. Adrian Schenker, “Le monothéisme israélite: Un dieu qui transcende le monde et les dieux,” *Bib* 78 (1997): 436–48; Schenker, “Gott als Stifter der Religionen der Welt: Unerwartete Früchte textgeschichtliche Forschung,” in *La double transmission du texte biblique: Etudes d'histoire du texte offertes en hommage à Adrian*

In fact, the specific conception of the political division of the entire world under the sons of El in Ugarit or elsewhere in the Northwest Semitic sphere is not attested. The group of the *bn 'l(m)* especially attested in Ugarit probably do not point to the complete divine assembly.¹⁸ Generally speaking, one should not expect such a universal systematizing perspective in the Northwest Semitic sphere at that time. As Rudolf Meyer already wrote on Deut 32:8–9 in 1961, “the notion that an emperor would divide his universal sphere of influence up into satrapies subordinate to him is neither attested nor even very conceivable in the preexilic literature.”¹⁹ While there are biblical verses such as Judg 11:24 and Mic 4:5 (see also 1 Sam 26:19; 2 Kgs 3; 5) from which one could derive the notion of the complementary territorial responsibility of various deities (following the principle of *cuius regio eius religio*, “whose realm, his religion”), which is also probable in terms of the history of religion, these texts are not familiar with the movement observable in Deut 32:8–9 of the allocation of the entire political

Schenker, ed. Yohanan A. P. Goldman and Christoph Uehlinger, OBO 179 (Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 2001), 99–102; see also Cyrus H. Gordon, “History of Religion in Psalm 82,” in *Biblical and Near Eastern Studies: Essays in Honor of William Sanford LaSor*, ed. Gary A. Tuttle (Grand Rapids: Eerdmans, 1978), 129–31; Célestin Simbanduku, *YHWH, les dieux et les anges: Permanence du polythéisme dans la religion de la Bible* (Rome: Urbania University Press, 2004).

18. Texts that speak of *bn 'l(m)* generally have in mind a certain group, namely the children of El, who form a partial set of the assembly of the gods that generally appear as a body and whose function is of a secondary nature. Cf. Wolfram Herrmann, “Die Göttersöhne,” *ZRGG* 12 (1960): 242–51, esp. 247 with a list of attestations, 245–46 n. 19. Of this group, only Mot takes on an independent role. On *KTU* 1.17.vi.28–29 see *TUAT* 3.3:1274 n. 125. *KTU* 1.4.vi.46, see *TUAT* 3.3:1167; cf. *KTU* 1.3.iv.48 (*TUAT* 3.3:1146 and n. 97); 1.3.v.4, 37; 1.4.i.7; These texts attest to a group of seventy divine children for El’s consort, Athirat, and are therefore similar to the conception in Deut 32:8–9 MT in terms of the number, which for the “sons of Israel” likely corresponds to the seventy nations from Gen 10 and the seventy-member band of Jacob’s that arrived in Egypt.

19. Rudolf Meyer, “Die Bedeutung von Deuteronomium 32,8f.43 (4Q) für die Auslegung des Moselieds,” in *Verbannung und Heimkehr: Beiträge zur Geschichte und Theologie Israels im 6. und 5. Jahrhundert v. Chr.; Wilhelm Rudolph zum 70. Geburtstag dargebracht von Kollegen, Freunden und Schuelern*, ed. Arnulf Kuschke (Tübingen: Mohr, 1961), 202: “der Gedanke, dass ein Grosskönig seinen universalen Machtbereich an ihm untergebene Satrapen verteilt, ist in der vorexilischen Literatur weder belegt noch auch recht denkbar.”

world.²⁰ In actuality, one would instead suspect that this motif presupposes the experience of empire in the Persian period.

In fact, clear parallels to the conception of Deut 32:8–9, according to the reading from 4Q37 and LXX, first appear in the late period of the Hebrew Bible. They are found, as scholars had explicitly noticed especially before the discoveries in Ras Shamra, primarily in the book of Daniel.²¹ Daniel 10 expresses the notion that a heavenly angelic prince corresponds to each of the earthly nations.²² Explicitly mentioned are the angelic princes of the Persian Empire (שר פרס) and Greece (שר יון; 10:13, 20–21; for Israel, see 12:1: Michael as השר הגול העמד על בני עמך “the great prince who is responsible for the sons of your people”).²³ Noteworthy here in terms of the terminology in our context is also Dan 11:36. The God of Israel is here designated as אל אלים “God of the divine beings,” therefore as the Lord of the angelic powers (cf. 1QM I, 10; 1QH VII, 28). However, the observable, dynamic conception in Dan 10 and 12 already appears to offer an advancement of the static notion from Deut 32:8–9. First, the angelic princes of the nations in Daniel are apparently in conflict with one another, which arises during the historical situation of the era of the Diadochi. Second, Israel

20. Cf. Bob Becking, “Only One God: On Possible Implications for Biblical Theology,” in Becking, *Only One God?*, 189–201, esp. 193.

21. Cf. Hans-Winfried Jüngling, *Der Tod der Götter: Eine Untersuchung zu Psalm 82*, SBS 38 (Stuttgart: Katholisches Bibelwerk, 1969), 24–37, esp. 20–21 (further literature). The closest parallel to Deut 32:8–9 appears—though as a literary allusion—in Sir 17:17 (see also Jub. 15.31–32; 1 En. 10.9; 12.2, 4; 14.3; 15.2–3 and often as well as Str-B 3:48–51): “For every nation he [God] installed a prince, but the Lord’s portion is Israel.”

22. On the discussion see most recently Ernst Haag, “Der Kampf der Engelmächte in Daniel 10–12,” in *Textarbeit: Studien zu Texten und ihrer Rezeption aus dem Alten Testament und der Umwelt Israels; Festschrift für Peter Weimar zur Vollendung seines 60. Lebensjahres*, ed. Klaus Kiesow and Thomas Meurer, AOAT 294 (Münster: Ugarit-Verlag, 2003), 245–53; Tim Meadowcroft, “Who Are the Princes of Persia and Greece (Daniel 10)? Pointers towards the Danielic Vision of Earth and Heaven,” *JSOT* 29 (2004): 99–113; Kevin P. Sullivan, *Wrestling with Angels: A Study of the Relationship between Angels and Humans in Ancient Jewish Literature and the New Testament*, AGJU 55 (Leiden: Brill, 2004), 61–65; see also Archie T. Wright, *The Origin of Evil Spirits: The Reception of Genesis 6.1–4 in Early Jewish Literature*, WUNT 2/198 (Tübingen: Mohr Siebeck, 2005), 101–2.

23. One can also bring in Dan 7: here the holy ones of the Most High, that is the angels, receive the authority over the world (cf. John J. Collins, *Daniel*, Hermeneia [Minneapolis: Fortress, 1993], 313–17).

also had its own angelic prince, although he is not the highest (Michael) and is not directly subordinate to God.

The notion of Israel's immediate subjection to YHWH and the concurrent allocation of the nations to other (astral) deities also appears in Deut 4:19–20 (cf. Deut 29:25):

וּפֶן תִּשָּׂא עֵינֶיךָ הַשְׁמִימָה וּרְאִיתָ אֶת הַשֶּׁמֶשׁ וְאֶת הַיָּרֵחַ וְאֶת הַכּוֹכָבִים כָּל צֶבֶא
הַשָּׁמַיִם וְנִדְחָתָה וְהִשְׁתַּחֲוִיתָ לָהֶם וְעַבַּדְתָּם אֲשֶׁר חָלַק יְהוָה אֱלֹהֶיךָ אֹתָם לְכָל הָעַמִּים
תַּחַת כָּל הַשָּׁמַיִם וְאַתְכֶם לָקַח יְהוָה וַיּוֹצֵא אֹתְכֶם מִכּוּר הַבְּרֹזֶל מִמִּצְרַיִם לִהְיוֹת לוֹ
לְעָם נַחֲלָה בְיוֹם הַזֶּה

and that you not, when you lift up your eyes to the heavens and see the sun and the moon and the stars, the whole host of the heavens, be led astray to worship them and to serve them, for YHWH, your God allotted them to all the nations under the entire heavens. But you YHWH took and he led you out from the iron-smelter, from Egypt, that you would be for him a people of his own, as you are today.

From a literary-historical perspective, Deut 4 does not, however, reach back to earlier times: Deut 4:19 stands in a literarily unified context (Deut 4) that should consistently be positioned as post-Priestly and does not reach back before the Persian period.²⁴ Also in favor of a correspondingly late date is the extraordinarily pronounced monotheistic consciousness in this text, which can even interpret the idol worship of the pagans as YHWH's divine proclamation.

The reciprocal correspondence between the heavenly powers and earthly rulers is finally attested, at least implicitly, in Isa 24:21.

וְהָיָה בְיוֹם הַהוּא יִפְקֹד יְהוָה עַל צֶבֶא הַמָּרוֹם בְּמָרוֹם וְעַל מְלָכֵי הָאָדָמָה עַל הָאָדָמָה
And on that day it will take place, that YHWH will punish the host of the heights in the heights and the kings of the earth on the earth.

24. See Eckart Otto, "Deuteronomium 4: Die Pentateuchredaktion im Deuteronomiumsrahmen," in *Das Deuteronomium und seine Querbeziehungen*, ed. Timo Veijola, SESJ 62 (Helsinki: Finnish Exegetical Society; Göttingen: Vandenhoeck & Ruprecht, 1996), 196–222; Otto, *Das Deuteronomium im Pentateuch und Hexateuch: Studien zur Literaturgeschichte von Pentateuch und Hexateuch im Lichte des Deuteronomiumsrahmens*, FAT 30 (Tübingen: Mohr Siebeck, 2000), 168–69; Konrad Schmid, *Erzväter und Exodus: Untersuchungen zur doppelten Begründung der Ursprünge Israels innerhalb der Geschichtsbücher des Alten Testaments*, WMANT 81 (Neukirchen-Vluyn: Neukirchener Verlag, 1999), 164–65 n. 660; trans. as *Genesis and the Moses Story: Israel's Dual Origins in the Hebrew Bible*, Siphut 3 (Winona Lake, IN: Eisenbrauns, 2010), 150–51 n. 652.

Isaiah 24:21 also supports the proposed late date for Deut 32:8. Appearing within the so-called Isaiah Apocalypse of Isa 24–27, Isa 24:21 probably presupposes the collapse of the Persian Empire in the early period of the Diadochi.²⁵

A functional concern also arises in addition to these considerations from the history of theology. If one views Elyon and YHWH in Deut 32:8–9 as two separate deities, then a peculiar conception would arise in which Elyon himself would not be allotted any group of worshipers. This is quite improbable in terms of the history of religions.²⁶ Even if one assumes that El or Elyon is worshiped in addition to each national deity somewhat beyond cultural borders, this does not provide much help because this notion is neither explicitly nor implicitly present in Deut 32:8–9.

Finally, the semantic style of 32:8–9 as a whole and especially the use of the preposition כִּי in 32:9 is also conditioned by the external identification of Elyon in 32:8 with YHWH in 32:9.²⁷ If YHWH was merely one of the בְּנֵי אֱלֹהִים in this text, then this would leave the emphasis of 32:9, with כִּי, hardly comprehensible. In this case, 32:9 would hardly offer any additional information to 32:8. The parallelism already present in 32:8 would then be doubled once again in a superfluous manner. The displacement and emphasis of 32:9 by means of כִּי only becomes comprehensible when YHWH as the Most High is the dispenser of the nations from the outset: YHWH is simultaneously the God of his people who does not require an angel prince.²⁸

25. Odil H. Steck, *Der Abschluss der Prophetie im Alten Testament: Ein Versuch zur Frage der Vorgeschichte des Kanons*, BThSt 17 (Neukirchen-Vluyn: Neukirchener Verlag, 1991), 27, 81, 83.

26. Particularly as it has become increasingly clear in scholarship that—contrary to earlier opinions—the god El also had a temple in Ugarit, so he was in no way a complete *deus otiosus*. See Herbert Niehr, “Die Wohnsitze des Gottes El nach den Mythen aus Ugarit: Ein Beitrag zu ihrer Lokalisierung,” in *Das biblische Weltbild und seine altorientalischen Kontexte*, ed. Bernd Janowski and Beate Ego, FAT 32 (Tübingen: Mohr Siebeck, 2001), 326–60.

27. “Yet, contextual considerations suggest that the preposition *ky* in v. 9 be translated as an asseverative particle, rendering, ‘Indeed, Yahweh’s own portion was his people, Jacob was the territory of his possession.’ Thus, ‘Elyôn is more plausibly understood as functioning as an epithet for Yahweh’ (E. E. Elnes and Patrick D. Miller, “Eljon,” *DDD*, 566).

28. A further argument for the identification of Elyon with YHWH can be deduced from the nature of 32:9 as a nominal clause (as noted by Bernd Janowski):

The fact that the terminology changes from 32:8 to 32:9, initially speaking of God as Elyon and then as YHWH, does not pose a problem for this interpretation. It can instead be readily explained functionally: 32:8 offers a universal perspective of the divine and human worlds, speaking consequentially of **עליון**, **אדם**, **גוים**, **בני אלהים**, and **עמים**. Deuteronomy 32:9 focuses on YHWH and Israel and therefore uses the proper name and **יעקב**. In order to strengthen YHWH's superiority in comparison to the **בני אלהים**, the use of the title **עליון** in 32:8 virtually imposes itself.

Taken together, these points suggest the conclusion that Elyon and YHWH in Deut 32:8–9 are one and the same from the outset. This does not represent a revolutionary position. One can refer to similar interpretations in Bernhard Duhm, Hermann Gunkel, Rudolf Meyer, Michael Mach, Adrian Schenker, and, recently, Mark Smith.²⁹ Deuteronomy 32:8–9 speaks of the one highest God of Israel, who coordinates the world of the nations with the heavenly beings populating the court. As a result, Deut 32:8–9 has just as much of a monotheistic character as the likely Persian-period texts of Gen 6:1–4 and Job 1–2, where “God” similarly rules over the “angels,” as the Septuagint correctly interprets the functionality of the text.³⁰

The MT reading in Deut 32:8–9 (also SamP), which replaces the **בני אלהים** with the **בני ישראל**, could result from an antiangelology correction from the Hasmonean period—a *tiqqûn sôferim*. It would have intended to redirect the notion of the “angels” to the “sons of Israel” and could

according to **יעב** in 32:8b, one would expect perfective forms in both 32:9a, b if the allocation of Jacob to YHWH would correspond to such a procedure in 32:8b.

29. Bernhard Duhm, *Psalmen*, 2nd ed., KHC 14 (Tübingen: Mohr, 1922), 317; Hermann Gunkel, *Die Psalmen*, 4th ed., HAT 2.2 (Göttingen: Vandenhoeck & Ruprecht, 1926), 362; Meyer, “Die Bedeutung von Deuteronomium 32,8f.43 (4Q)”; Michael Mach, *Entwicklungsstadien des jüdischen Engelglaubens in vorrabbinischer Zeit*, TSAJ 34 (Tübingen: Mohr Siebeck, 1992), 22–25; however, Mach sympathizes with the conjecture of the priority of MT (78); Schenker, “Le monothéisme israélite”; Schenker, “Gott als Stifter”; Mark Smith, *The Memoirs of God: History, Memory and the Experience of the Divine in Ancient Israel* (Minneapolis: Fortress, 2004), 109; somewhat different still is Smith, *The Origins of Biblical Monotheism: Israel's Polytheistic Background and the Ugaritic Texts* (Oxford: Oxford University Press, 2001), 48–49; Smith, *The Early History of God: Yahweh and the Other Deities in Ancient Israel* (Grand Rapids: Eerdmans, 1990), 32–33. See also Haag, “Der Kampf der Engelmächte,” 249–52.

30. In Gen 6:2; Deut 32:8, 43; Job 1:6; 2:1; 38:7, LXX translates with “angel” of God as does the Peshitta. Cf. the further material in Herrmann, “Die Göttersöhne,” 242–43 n. 2.

have recalled the correspondence of the seventy nations in Gen 10 with the seventy-membered band of Jacob from Gen 46:27 and Exod 1:5.³¹ The recent detailed study by Innocent Himbaza elaborates this point in detail, such that it no longer requires further discussion.³²

30.2.2. Psalm 82

(1) A psalm of Asaph.	מזמור לאסף
God (<YHWH) stands in the assembly of the gods,	אלהים נצב בעדת אל
in the midst of the gods he judges:	בקרב אלהים ישפט
(2) How long will you judge unjustly	עד מתי תשפטו עול
And show favor to the wicked? <i>Selah</i>	ופני רשעים תשאו סלה
(3) Give justice to the lowly and the orphan,	שפטו דל ויתום
Maintain the right of the lowly and the needy.	עני ורש הצדיקו
(4) Deliver the lowly and the destitute,	פלטו דל ואביון
Free him from the hand of the wicked.	מיד רשעים הצילו
(5) They know nothing and understand nothing,	לא ידעו ולא יבינו
They grope around in darkness,	בחשכה יתהלכו
The foundations of the earth stagger. ³³	ימוטו כל מוסדי ארץ
(6) I have spoken: you are gods	אני אמרתי אלהים אתם
And children of the Most High all of you.	ובני עליון כלכם
(7) Nevertheless: you will die like mortals	אכן כאדם תמותון
And like one of the princes you will fall.	וכאחד השרים תפלו
(8) Arise, God (<YHWH), judge the earth,	קומה אלהים שפטה הארץ
for you have inherited all peoples. ³⁴	כי אתה תנחל בכל הגוים

31. See Cornelis Houtman, *Exodus*, trans. Sierd Woudsra, 4 vols., HCOT (Leuven: Peeters, 1993–2002), 1:66–67. See also the detailed discussion in Dominique Barthélemy, “Les Tiquuné Sopherim et la critique textuelle de l’Ancien Testament,” in *Études d’histoire du texte de l’Ancien Testament*, OBO 21 (Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 1978), 91–110; still more detailed in Himbaza, “Dt 32,8: Une correction tardive des scribes.”

32. Himbaza, “Dt 32,8: Une correction tardive des scribes.”

33. On the understanding of 82:5, see Frank L. Hossfeld and Erich Zenger, *Die Psalmen*, 3 vols., NEchtB (Würzburg: Echter, 1993–2012), 2:483–84. It would also be conceivable that 82:5 refers to the “sinner” from 82:4, but the chosen semantics instead appear to have the gods in view.

34. On the possibilities for the translation of 82:8b, see Hossfeld and Zenger, *Die Psalmen*, 2:480, who themselves opt for “indeed you, you should take over your inheritance among all nations” (“ja du, du sollst dein Erbe übernehmen bei allen Völkern”).

Psalm 82 also awakens at first glance numerous associations with an elaborate polytheism. YHWH (here Elohim because Ps 82 belongs to the Elohist Psalter) appears in an assembly consisting of a number of deities. His function, at least in 82:1–4, is apparently as a prosecutor (he stands rather than sits). This could imply the additional presence of a judge, and 82:6 mentions Elyon as the father of the gods who appears intended for the role of judge in 82:7. The ambiguous situation of the speakers could also be interpreted as multiplicity of actors. Apart from the conclusion by the psalmist in 82:8, the change from second- to third-person in 82:5 in particular appears to indicate at least two speakers within the divine assembly.

On this basis, the judgment by Eissfeldt and Weippert that Ps 82 did *not* originally presuppose that YHWH and Elyon were one and the same deity but that YHWH himself was considered one of the sons of Elyon, initially seems quite comprehensible.³⁵ They argue that only through a secondary reception would Elyon and YHWH become identified with one another.

At the same time, here again the reservations are too serious for one to agree readily with this interpretation. Weippert himself already remarks on the “considerable distance” that the composer of the psalm accords to YHWH from his divine colleagues. On the final petition in 82:8, Weippert maintains that YHWH here is “on the path ... that will lead him in the end to the top of the pantheon.”³⁶ This already represents a cautious formulation, acknowledging on one hand that in 82:8 all of the nations already appear as his inheritance and on the other that the death of the gods grants him “exclusive divine authority.”³⁷

In agreement with Eissfeldt and Weippert, Ps 82 does appear to have memories of a polytheistic milieu, but contrary to them, it arose from the outset in a monotheistic context. This formulates the basis of the polytheistic language game, as already considered or advocated in interpretations of Ps 82 by Gunkel and Joachim Begrich, Günther Wanke, Klaus Seybold, and Erich Zenger.³⁸

35. See also Werner H. Schmidt, *Königtum Gottes in Ugarit und Israel: Zur Herkunft der Königsprädikation Israels*, 2nd ed., BZAW 80 (Berlin: Töpelmann, 1966), 40–43; Weippert “Synkretismus und Monotheismus,” 10.

36. Weippert “Synkretismus und Monotheismus,” 10: “auf dem Weg ... der ihn schliesslich an die Spitze des Pantheons führen wird.”

37. Hossfeld and Zenger, *Die Psalmen*, 2:481: “exklusive göttliche Kompetenz.”

38. See Hermann Gunkel and Joachim Begrich, *Einleitung in die Psalmen*, 2nd ed.

How can this be substantiated? One must first maintain with complete clarity that the center of gravity of this text lies in its concluding monotheistic statements in 82:7–8. The announcement of the virtual death of the gods appears in 82:7, and in 82:8 God (YHWH) alone remains.³⁹ Concordant both in terms of language and content with Deut 32:8–9, Ps 82:8 describes God as proprietor of all nations (כי אתה תנחל בכל הגוים)—anything but a polytheistic idea. However, if 82:7–8 are interpreted and evaluated in this manner, then it concurrently becomes clear that composition criticism cannot salvage the religious-historical value of Ps 82. The concluding 82:7–8 cannot be separated from the rest of Ps 82: what would remain would only be a torso-like appeal to the gods in 82:1–6 left hanging in midair.

Second, the theology of the poor in 82:3–4 as well as the concluding passage in 82:7–8, as Janowski has highlighted, “define the notion of divinity in light of the notion of justice,”⁴⁰ therefore presupposing a

(Göttingen: Vandenhoeck & Ruprecht, 1966), 414; Günther Wanke, “Jahwe, die Götter und die Geringen: Beobachtungen zu Psalm 82,” in “*Wer ist wie du, Herr, unter den Göttern?* Studien zur Theologie und Religionsgeschichte Israels”: Für Otto Kaiser zum 70. Geburtstag, ed. Ingo Kottsieper et al. (Göttingen: Vandenhoeck & Ruprecht, 1994), 445–53; Klaus Seybold, *Psalmen*, HAT 1.15 (Tübingen: Mohr 1996), 324–26. Hans Schmidt, *Psalmen*, HAT 1.15 (Tübingen: Mohr, 1934), 156–57, interprets the divine beings in Ps 82 as angels in YHWH’s heavenly court; similarly Duhm, *Psalmen*, 317, whose sees a “pharisaical fight psalm” [“pharisäische[n] Kampfpsalm”] in Ps 82; Erich Zenger, “Psalm 82 im Kontext der Asaf-Sammlung: Religionsgeschichtliche Implikationen,” in *Religionsgeschichte Israels: Formale und materiale Aspekte*, ed. Bernd Janowski and Matthias Köckert, VWGTh 15 (Gütersloh: Kaiser, 1999), 272–92; Hossfeld and Zenger, *Die Psalmen*, 2:479–92 (here by Zenger); see also Mullen, *Assembly*, 230–31, as well as Morgenstern, “Mythological Background,” 119–21, who dates the psalm around 500 BCE.

39. The often discussed alternative “deities or humans in Ps 82” (cf. Wanke, “Jahwe, die Götter und die Geringen,” 446 n. 4 [for further literature]; Jüngling, *Der Tod*, 24–37) has read more difficulties into the text than are present there: “On the level of the text, it concerns YHWH’s accusation and judgment of the gods, but the failure of the gods that leads to their death sentence plays out in the terrestrial-political level” (“Auf der Textebene geht es um Anklage und Verurteilung der Götter durch JHWH, aber das Versagen der Götter, das ihnen das Todesurteil einbringt, spielt auf der irdisch-politischen Ebene”) (Hossfeld and Zenger, *Die Psalmen*, 2:483 [Zenger]).

40. Bernd Janowski, “Richten und Retten: Zur Aktualität der altorientalischen und biblischen Gerechtigkeitskonzeption,” in *Gerechtigkeit: Richten und Retten in der abendländischen Tradition und ihren altorientalischen Ursprüngen*, ed. Jan Assmann, Bernd Janowski, and Michael Welker (Munich: Fink, 1998), 23: “Begriff des Göttli-

wide-reaching movement toward ethics in the conception of the divine. This move bursts the conceptual framework of ancient Israelite religion. We hardly find ourselves here in the monarchic period from the perspective of the history of theology.

Finally, the nature of the speakers is also clarified coherently in that 82:5 can readily be understood within the speech of YHWH. As Franz Delitzsch already suggested, YHWH speaks here “reluctantly separated” from the “gods.”⁴¹ The liturgical conclusion of 82:8 is an acclamatory choral finale.

In sum the following can be maintained. In Ps 82 also we are dealing with the reception of polytheistic religiosity within the framework of monotheistic religion, and not with polytheistic religiosity itself. As such, Ps 82 is in fact one of the “most spectacular texts in the Hebrew Bible,”⁴² as the new commentary by Frank-Lothar Hossfeld and Erich Zenger maintains—however, not in the sense of a window into its history of religion, but rather in terms of its theological argumentation.

30.3

The reflections undertaken so far cannot claim the weight of a general falsification of the thesis of literary “remnants of Hebrew paganism” in the Hebrew Bible. It is not precluded that one or the other literarily frozen, polytheistic pieces of tradition from the religion of monarchic Israel have been adopted into the Hebrew Bible.⁴³ Among those texts generally taken

chen vom Begriff der Gerechtigkeit her definiert”; cf. Janowski, *Konfliktgespräche mit Gott: Eine Anthropologie der Psalmen* (Neukirchen-Vluyn: Neukirchener Theologie, 2003), 137–38.

41. Franz Delitzsch, *Biblischer Commentar über die Psalmen*, *Biblischer Commentar über das Alte Testament* 4.1 (Leipzig: Dörffling & Franke, 1867), 518: “widerwillig abgewendet”; cited by Gunkel, *Die Psalmen*, 362; Hossfeld and Zenger, *Die Psalmen*, 2:483–84.

42. Hossfeld and Zenger, *Die Psalmen*, 2:492: “spektakulärsten Texte des Alten Testaments.”

43. Reinhard G. Kratz, “Reste hebräischen Heidentums am Beispiel der Psalmen,” *NAWG* 2 (2004): 3–41, only remains sufficiently confident in the cases of Pss 93 and 21 that the extant remnants of Hebrew paganism can still be reconstructed literarily. In Pss 47; 95–99, the transformation is “more advanced” (“weiter fortgeschritten,” 17), so here the question can only be “whether it is successful, ... at least to isolate the contours of an early literary core” (“ob es gelingt, ... wenigstens in Umrissen einen alten

as cardinal attestations, Deut 32:8–9 and Ps 82, however, this is quite improbable. It is out of the question that they can be considered direct attestations of preexilic, polytheistic religiosity. This is unsurprising, but rather a conclusion that is expected: The Hebrew Bible is a document from ancient Judaism that, in spite of all its internal polyphony, did not completely forego selectivity. In addition to selectivity, the Hebrew Bible is also familiar with the resources of transformation and interpretation. For this very reason, it contains polytheizing monotheistic texts like those investigated here.⁴⁴

Whether and if so, how these considerations correlate with the categories of primary and secondary religion would likely be a whole separate topic. Several suggestions must suffice here. The simple association of primary religion and polytheism on the one hand and secondary religion with monotheism on the other must in any case be eliminated from the outset. This even results from Theo Sundermeier's theoretical conjectures: "Monotheism and polytheism are not opposites in primary religious experiences but rather different possibilities for encountering reality."⁴⁵ On the other hand, however, is also the fact that the process of the rise of mono-

literarischen Kern zu isolieren," 18). On Pss 96 and 98, he maintains, "In these psalms, too, an older core cannot necessarily be identified, but an older tradition" ("Auch in diesen Psalmen kann nicht unbedingt ein älterer Kern, aber ältere Überlieferung identifiziert werden," 25). If one accepts this, then an expansion of the methodological grasp presses through: Are the detectable "remains of Hebrew paganism" of a literary nature or do they concern remembrances that are absorbed only after being transformed? The religious-historical comparison offers no compelling indications of literary growth, but can just as easily point to the manipulation of earlier tradition within the context of a literarily unified text.

44. A helpful model for further investigation has been formulated by Smith (*Origins*; Smith, *Memoirs*, 101–19). He recognizes a four-level-structure in the Ugaritic and early-Israelite panthea ("a large multifamily or joint household" [*Memoirs*, 101–2]). The divine family, parents and children, occupies the two upper levels. The two lower levels consist of divine beings that work in the divine household, of which level 3 is by comparison hardly distinct in both Ugarit and Israel. Within the context of this model, one can suggest in religious-historical terms that the monotheism of Deut 32:8–9 and Ps 82 is not primarily characterized by the reduction of the number of divine beings to a singular one but rather through the emptying of levels 2 and 3.

45. Theo Sundermeier, "Religion/Religionen," in *Lexikon missionstheologischer Grundbegriffe*, ed. Karl Müller (Berlin: Reimer, 1987), 417: "Monotheismus und Polytheismus sind in der primären Religionserfahrung keine Gegensätze, sondern verschiedene Möglichkeiten, der Wirklichkeit zu begegnen"; see Sundermeier, *Was ist*

theism in ancient Israel proceeded with considerable complexity and led to completely different end forms. It also appears quite possible to describe that Persian-period Judaism as a secondary form of religion,⁴⁶ even if this would be at some distance from Sundermeier, who, to a certain degree following Gerhard von Rad, locates the decisive transformation somewhat earlier, specifically in the rise of prophecy.

For texts such as those treated here, one could investigate the degree to which their conception of God can be made palpable within the framework of the transformation of their religious contexts. In Sundermeier one reads: "The primary experience of religion is the foundation that is overlaid with the secondary. This does not simply replace the primary ... but integrates it."⁴⁷ The fact that a process of integration lies behind Deut 32:8–9 and Ps 82 appears clear. Whether and how it can be brought into connection with further processes of integration in the radical change from primary to secondary religion remains open.

Religion? Religionswissenschaft im theologischen Kontext, TB 96 (Gütersloh: Kaiser, Gütersloher Verlaghaus 1999), 35–42.

46. The contribution by Rüdiger Schmitt, "Die nachexilische Religion Israels: Bekenntnisreligion oder kosmotheistische Religion," in *Primäre und sekundäre Religion als Kategorie der Religionsgeschichte des Alten Testaments*, ed. Andreas Wagner, BZAW 364 (Berlin: de Gruyter, 2006), 147–58, which advocates the exact opposite, shows that considerable need for clarification remains with regard to the use of the categories primary and secondary religion in ancient Israel.

47. Sundermeier, *Was ist Religion?*, 37: "Die primäre Religionserfahrung ist der Grund, der von der sekundären überlagert wird. Diese löst die primäre nicht einfach ab, ... sondern integriert sie."

God of Heaven, God of the World, and Creator: God and the Heavens in the Literature of the Second Temple Period

31.1. Preliminary Reflections

Questions about the biblical worldview with regard to the meaning of the “heavens” have been advanced in recent Hebrew Bible scholarship especially by the works of Othmar Keel, Bernd Janowski, Beate Ego, and Friedhelm Hartenstein, which have led to new methodological insights and clarifications of the content.¹ The work of Wayne Horowitz has yielded

1. See the foundational works by Cornelis Houtman, *Der Himmel im Alten Testament: Israels Weltbild und Weltanschauung*, OTS 30 (Leiden: Brill, 1993); Rüdiger Bartelmus, “šamajim–Himmel: Semantische und traditionsgeschichtliche Aspekte,” in *Das biblische Weltbild und seine altorientalischen Kontexte*, ed. Bernd Janowski and Beate Ego, FAT 32 (Tübingen: Mohr Siebeck, 2001), 87–124. See esp. Othmar Keel, *Jahwe-Visionen und Siegelkunst: Eine neue Deutung der Majestätsschilderungen in Jes 6, Ez 1 und 10 und Sach 4*, SBS 84/85 (Stuttgart: Katholisches Bibelwerk, 1977); Keel, *Die altorientalische Bildsymbolik und das Alte Testament: Am Beispiel der Psalmen*, 5th ed. (Neukirchen-Vluyn: Neukirchener Verlag, 1996); Keel and Silvia Schroer, *Schöpfung: Biblische Theologien im Kontext altorientalischer Religionen* (Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 2002), 102–8; Keel, “Die Herrlichkeitserscheinung des Königsgottes in der Prophetie,” in *Mythisches in biblischer Bildsprache: Gestalt und Verwandlung in Prophetie und Psalmen*, ed. Hubert Irsigler and Eberhard Bons (Freiburg im Breisgau: Herder, 2004), 134–83; Bernd Janowski, “Das biblische Weltbild: Eine methodologische Skizze,” in Janowski and Ego, *Das biblische Weltbild und seine altorientalischen Kontexte*, 3–26; Janowski, “Der Himmel auf Erden: Zur kosmologischen Bedeutung des Tempels in der Umwelt Israels,” in Janowski and Ego, *Das biblische Weltbild und seine altorientalischen Kontexte*, 229–60; Janowski, “Die heilige Wohnung des Höchsten: Kosmologische Implikationen der Jerusalemer Tempeltheologie,” in *Gottesstadt und Gottesgarten: Zur Geschichte und Theologie*

important advancements (from a biblical point of view) for the Mesopotamian background.² Especially powerful have been the insights working out the inherent symbolic functions of the biblical worldview. Discussions of aspects of worldview take place in the Bible neither exclusively nor predominantly out of cosmological interests: an independent cosmology without symbolic functions would represent an anachronism in ancient thought. These cosmological interests instead connect with real-world perspectives, thereby also always arising in symbolic form.³ One can also speak of the “populating of space with mythic connotations”⁴ or the “mythologization of space.”⁵

des Jerusalemer Tempels, ed. Othmar Keel and Erich Zenger, QD 191 (Freiburg im Breisgau: Herder, 2002), 24–68; Janowski, “Ich will in eurer Mitte wohnen”: Struktur und Genese der exilischen *Schekina*-Theologie,” *JBTh* 2 (1987): 165–93; repr., *Gottes Gegenwart in Israel: Beiträge zur Theologie des Alten Testaments* (Neukirchen-Vluyn: Neukirchener Verlag, 1993), 119–47; Janowski, “Tempel und Schöpfung: Schöpfungstheologische Aspekte der priesterschriftlichen Heiligtumskonzeption,” *JBTh* 5 (1990): 37–69; repr., *Gottes Gegenwart in Israel*, 214–46; Beate Ego, “Der Herr blickt herab von der Höhe seines Heiligtums: Zur Vorstellung von Gottes himmlischen Thronen in exilisch-nachexilischer Zeit,” *ZAW* 110 (1998): 556–69; Ego, *Im Himmel wie auf Erden: Studien zum Verhältnis von himmlischer und irdischer Welt im rabbinischen Judentum*, WUNT 2/34 (Tübingen: Mohr Siebeck, 1989); Ego, “Von der Jerusalemer Tempeltheologie zur rabbinischen Kosmologie: Zur Konzeption der himmlischen Wohnstatt Gottes,” *Mitteilungen und Beiträge der Forschungsstelle Judentum der Universität Leipzig* 12/13 (1997): 36–52; Friedhelm Hartenstein, *Die Unzugänglichkeit Gottes im Heiligtum: Jesaja 6 und der Wohnort JHWHs in der Jerusalemer Kulttradition*, WMANT 75 (Neukirchen-Vluyn: Neukirchener Verlag, 1997); Hartenstein, “Wolkendunkel und Himmelsfeste: Zur Genese und Kosmologie der Vorstellung des himmlischen Heiligtums JHWHs,” in Janowski and Ego, *Das biblische Weltbild und seine altorientalischen Kontexte*, 126–79. Cf. also the presentation by Jan Nelis, “Gott und der Himmel im Alten Testament,” *Concilium* 15 (1979): 150–56.

2. Wayne Horowitz, *Mesopotamian Cosmic Geography*, MC 8 (Winona Lake, IN: Eisenbrauns, 1998).

3. See now also the overview of Manfred Oeming, “Welt/Weltanschauung/Weltbild IV/3,” *TRE* 35:569–81; less helpful is Jeffrey Burton Russell, *Geschichte des Himmels* (Vienna: Böhlau, 1999), 27–44.

4. Beate Pongratz-Leisten, *Ina Šulmi Irub: Die kulttopographische und ideologische Programmatik der akitu-Prozession in Babylonien und Assyrien im 1. Jahrtausend v.Chr.*, BaF 16 (Mainz: von Zabern, 1994), 15l: “Besetzung des Raumes mit mythischen Konnotationen.”

5. Herbert Niehr, “Himmel, Hölle, Fegefeuer: Die biblischen Grundlagen,” in *Himmel–Hölle–Fegefeuer: Theologisches Kontaktstudium 1995*, ed. Albert Biesinger

With regard to the function of the heavens as the divine residence, the question of its location within a religious symbolic system arises in a special manner because then the question concerning the worldview is intimately connected with theology. The heavens are a particularly sensitive area because they have a special relationship with the sphere of the divine.

In the Persian period, YHWH was evidently brought into especially close connection with the heavens, for a series of texts expressly provide him with the title “God of heaven” (see the detailed discussion below at §31.3.4).⁶ The temporal categorization of the corresponding evidence is, therefore, clear and even finds supporting external evidence from Elephantine.⁷ One naturally cannot conclude the opposite on the basis of this evidence, namely, that YHWH was not connected in some way with the heavenly sphere in the preexilic and exilic periods. This is unlikely even just on the basis of his probable religious-historical affiliation with the Baal/Hadad type, that is, the weather deity type, but also the early transfer of solarizing functions to him.⁸ In support is also the surrounding “host

and Michael Kessler, *Kontakte 3* (Tübingen: Francke, 1996), 56: “Mythologisierung des Raumes.” Unless otherwise noted, all translations are mine.

6. See Gen 24:(3,) 7 (but see LXX [“God of the heavens and the earth,” like 24:3] and Klaus Koch, *Daniel*, BKAT 22.3 [Neukirchen-Vluyn: Neukirchener Verlag, 1999], 161; on the Persian-period placement of Gen 24 see Erhard Blum, *Die Komposition der Vätergeschichte*, WMANT 57 [Neukirchen-Vluyn: Neukirchener Verlag, 1984], 383–89); Jonah 1:9; Ezra 1:2; Neh 1:4–5, 2:4, 20; 2 Chr 36:23 (Heb.: אֱלֹהֵי הַשָּׁמַיִם; cf. אֵל אֱלֹהֵי הַשָּׁמַיִם in Ps 136:26) in addition are Dan 2:18, 19, 37, 44; Ezra 5:(11,) 12; 6:9–10; 7:12, 21, 23 (Aram.: אֱלֹהֵי שָׁמַיָא; cf. Houtman, *Der Himmel*, 98).

7. אֱלֹהֵי שָׁמַיָא: AP 27.15; 30.28 (cf. יהו מְרַא שָׁמַיָא 30.15), אֱלֹהֵי שָׁמַיָא: 30.2; 31.(2.)27; 32.4; 38.(2.)3.5; 40.1 (cf. *DISO*, 308). The ZKR stela from Hamath (*KAI* 202) mentions [ב]לְשִׁמְיָן “gods of the heavens” in B 25, but with אֱלֹהֵי שָׁמַיָא [א] and the “gods of the earth” in the immediate context. Also, for “heaven” as a designation for God see Dan 4:23 (additionally Ps 73:9; Job 20:27; see also Helmut Traub and Gerhard von Rad, “*δευανός*, *דאג*,” *TWNT* 5:509 [von Rad]); 1 Macc 4:10; 12:15; 2 Macc 7:11 among others (Traub and von Rad, “*δευανός*,” 510 [Traub]). On יהו מְרַא שָׁמַיָא in AP 30.15 cf. also 1QapGen 12.17 as well as the discussion in Houtman, *Der Himmel*, 98, there also with the renderings in the LXX of the texts mentioned in n. 6, above.

8. On the Baal/Hadad type, see, e.g., Manfred Weippert, “Synkretismus und Monotheismus: Religionsinterne Konfliktbewältigung im alten Israel,” in *Jhwh und die anderen Götter: Studien zur Religionsgeschichte des antiken Israel in ihrem syrisch-palästinischen Kontext*, FAT 18 (Tübingen: Mohr Siebeck, 1997), 1–24; Weippert, “Jahwe,” *RLA* 5:246–53. On solarizing functions, see Othmar Keel and Christoph Uehlinger,

of heaven” (including a “heavenly queen”) already in the preexilic period.⁹ In addition is the association of God (or when appropriate the gods) with the heavenly sphere as a fundamental religious-historical finding,¹⁰ however this was done in detail, in the ancient Near East and beyond, which is attested in quite diverse cultural contexts.¹¹ The fact that the biblical God is

Göttinnen, Götter und Gottessymbole: Neue Erkenntnisse zur Religionsgeschichte Kanaans und Israels aufgrund bislang unerschlossener ikonographischer Quellen, 5th ed., QD 134 (Freiburg im Breisgau: Herder, 1992), 296–98, 318–21; they show “that solarization as well as celestization of the conception of God is attested iconographically earlier and more clearly than through the rather meager relevant texts” (319: “dass Solarisierung wie Uranisierung der Gottesvorstellung ikonographisch früher und eindeutiger bezeugt werden als durch die sehr spärlichen einschlägigen Texte”), that is, already in the ninth and eighth centuries BCE; Bernd Janowski, “JHWH und der Sonnengott: Aspekte der Solarisierung JHWHs in vorexilischer Zeit,” in vol. 2 of *Die rettende Gerechtigkeit, Beiträge zur Theologie des Alten Testaments* (Neukirchen-Vluyn: Neukirchener Verlag, 1999), 192–219; Othmar Keel, “Der salomonische Tempelweihspruch: Beobachtungen zum religionsgeschichtlichen Kontext des Ersten Jerusalemer Tempels,” in Keel and Zenger, *Gottesstadt und Gottesgarten*, 9–23; in discussion with Martin Arneth, “*Sonne der Gerechtigkeit*: Studien zur Solarisierung der Jahwe-Religion im Lichte von Psalm 72, BZABR 1 (Wiesbaden: Harrassowitz, 2000).

9. On the host of heaven, see E. Theodore Mullen, *The Divine Council in Canaanite and Early Hebrew Literature*, HSM 24 (Chico, CA: Scholars Press, 1980); Herbert Niehr, “Host of Heaven,” *DDD*, 428–30. See also Cornelis Houtman, “Queen of Heaven,” *DDD*, 678–80.

10. See Fritz Stolz, “Himmelsgott,” *Handbuch religionswissenschaftlicher Grundbegriffe*, ed. Hubert Cancik, Burkhard Gladigow, and Matthias Samuel Laubscher (Stuttgart: Kohlhammer, 1993), 2:141–42: “Sumerian An is identical with the heavens (*an*). . . . Over the course of the development, modifications take place: heaven and the god of the heavens move apart (especially with the dominance of Akkadian: *an* becomes the personal name Anu, while the Semitic expression stands for ‘heavens’)” (“Der sumerische An ist identisch mit dem Himmel [*an*]. . . . Im Laufe der Entwicklung ergeben sich Modifikationen: Himmel und Himmelsgott rücken auseinander (insbesondere mit der Dominanz des Akkadischen: *an* wird zum Eigennamen Anu, während für ‘Himmel’ die semitische Bezeichnung eintritt)”; for the evidence and tradition history of the “heavens of Anu” (*šamu* [*ša*] *danim*), see Horowitz, *Mesopotamian Cosmic Geography*, 244–46; see further Erich Ebeling, “Anu,” *RIA* 1:114–17; Manfred Dietrich, “‘Als Anu den Himmel erschaffen hatte, . . .’: Rekurs auf das Schöpfungsgeschehen anlässlich einer Tempelrenovierung,” in *Assyriologica et Semitica: Festschrift für Joachim Oelsner*, ed. Joachim Marzahn, Andreas Fuchs, and Hans Neumann, AOAT 252 (Münster: Ugarit-Verlag, 2000), 33–46. See also the further Mesopotamian and Hittite divine predication in Houtman, *Der Himmel*, 97–98.

11. See the summary presentation by Christian Cannuyer, “Lebt Gott im Himmel?”

connected with the heavens as his domain in the monarchic period—that is, in the ninth and eighth centuries BCE—can be readily established.¹²

However, a connection with the heavenly realm implies neither that YHWH nor the analogous Northwest Semitic deities necessarily had their residences or their thrones there. The texts instead show “that these [deities] were enthroned on the mountains, have command over heavenly phenomena and can in part appear as ‘lords of the heavens.’”¹³

Following Hartenstein, one can therefore recommend the differentiation between implicit and explicit thematization of YHWH’s residence in heaven along the lines of the influential study by Mendel Metzger on “YHWH’s heavenly and earthly abode.”¹⁴ From this perspective, the broad

Himmel und Licht in religiösen Bildern und Texten,” *WUB* 26 (2002): 5–9; Bernhard Lang and Colleen McDannell, *Der Himmel: Eine Kulturgeschichte des ewigen Lebens* (Frankfurt am Main: Insel, 1996); Russell, *Geschichte des Himmels*.

12. See n. 8, above. One should additionally note the success of the Phoenician Baal Šamem; see Herbert Niehr, *Der höchste Gott: Alttestamentlicher JHWH-Glaube im Kontext syrisch-kanaanäischer Religion des 1. Jahrtausends v.Chr.*, BZAW 190 (Berlin: de Gruyter, 1990), 17–29 (see already Otto Eissfeldt, “Baalšamem und Jahwe,” *ZAW* 57 [1939]: 1–31); critical of Niehr’s thesis of the dominance of Baal Šamem as the “highest god” is Karin Engelken, “BA’AL ŠAMEM—Eine Auseinandersetzung mit der Monographie von H. Niehr,” *ZAW* 108 (1996): 233–48, 391–407.

13. Niehr, “Himmel, Hölle, Fegefeuer,” 62: “dass diese auf Bergen thronen, über Himmelsphänomene gebieten und z.T. als ‘Herren des Himmels’ auftreten können. Eine Verortung dieser Götter im Himmel erfolgt nur teilweise, eine Aussage darüber, ob sie andauernd im Himmel thronen, wird in den Texten jedoch nicht getroffen.” As evidence one can cite, e.g., *KTU* 1.1.iii.27–28; 1.3.i.13 (“lord of the heavens”); 1.3.iii.26–31.47; 1.3.iv.19–20; 1.5.vi.11–14; 1.6.i.62–65; 1.14.ii.22–24; see also Klaus Koch, “Hazzi-Safön-Kasion: Die Geschichte eines Berges und seiner Gottheiten,” in *Religionsgeschichtliche Beziehungen zwischen Kleinasien, Nordsyrien und dem Alten Testament: Internationales Symposium Hamburg 17.–21. März 1990*, ed. Bernd Janowski, Klaus Koch, and Gernot Wilhelm, OBO 129 (Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 1993), 171–223; Herbert Niehr, “Die Wohnsitze des Gottes El nach den Mythen aus Ugarit: Ein Beitrag zu ihrer Lokalisierung,” in Janowski and Ego, *Das biblische Weltbild und seine altorientalischen Kontexte*, 326–60.

14. Mendel Metzger, “Himmliche und irdische Wohnstatt Jahwes,” *UF* 2 (1970): 139–58; repr., *Schöpfung, Thron und Heiligtum: Beiträge zur Theologie des Alten Testaments*, BThSt 57 (Neukirchen-Vluyn: Neukirchener Verlag, 2003), 1–38. See Hartenstein, *Die Unzugänglichkeit*, 20–21, 226. However, it is possible that this thesis is formulated somewhat too firmly, cf. the note in Janowski, “Die heilige Wohnung,” 38 with n. 60; 58.

silence concerning the heavens in putative monarchic texts from Jerusalem¹⁵ imposes the conclusion “that the conception of God’s heavenly abode in preexilic Jerusalem was unfamiliar with an explicit localization of the divine throne in the cosmic heavenly sphere.”¹⁶ Instead, this explicit localization first came about over the course of the religious-historical transformations after the loss of the First Temple, which modified the close relationship between the deity and the sanctuary—though in various ways and diverse emphases. This is shown quite clearly, for example, in the parallel versions of Ps 18 and 2 Sam 22, which mark the transformation of the cosmological framework through several terminological changes (cf. Ps 18:8, 11, 14, 16 with parallels 2 Sam 22:8, 11, 14, 16).¹⁷ The earlier Ps 18 moves within the framework of a vertical cosmological differentiation between what is formulated as the broad sphere of the (heavenly) heights and underworld with the earth in the center. On the other hand, the incorporation of this psalm into 2 Sam 22 presupposes the conversion of this conception into a fixed structure of the world in which the heavens represent a set entity that the surrounding waters keep separate from the earth.¹⁸

Merely on the basis of the established prominence of the title “God of heaven,” the postexilic history of theology of ancient Israel emerges as an especially important sphere for the investigation of the relationship between God and heaven. How exactly is this relationship shaped in the various theological conceptualizations of the literature of Second Temple Judaism proves decisive for the functional meaning for the “theo”-logy of each position.¹⁹

15. Hartenstein, *Die Unzugänglichkeit*, 21 and n. 75.

16. Hartenstein, *Die Unzugänglichkeit*, 226: “dass die vorexilischen Jerusalemer Wohnortvorstellungen keine explizite Lokalisierung des Gottesthrons im kosmischen Bereich des Himmels kannten.”

17. A synoptic presentation and evaluation appears in Hartenstein, “Wolkendunkel und Himmelsfeste,” 132.

18. See Hartenstein, “Wolkendunkel und Himmelsfeste,” 135, see also the note, 135–36 n. 45 concerning the question of the respective connected conceptions of creation.

19. The question of how God and heaven are to be related to each other, discussed in recent systematic theology in conversation with A. N. Whitehead (more specifically whether Whitehead confuses God and heaven; see Michael Welker, *Universalität Gottes und Relativität der Welt: Theologische Kosmologie im Dialog mit dem amerikanischen Prozessdenken nach Whitehead*, 2nd ed., Neukirchener Beiträge zur system-

31.2. Determining the Nature of the Relationship between God and Heaven in the Literature of the Second Temple Period

No lack of foundational evidence exists concerning the fact that the loss of the First Temple strongly advanced the heavenly theology of the Hebrew Bible if not provoking it. With the end of the temple's function as the exemplary location of God's earthly presence—toward which the heavens to some degree curved,²⁰ the development of the conception of God now dwelling solely in heaven almost imposed itself. On the other hand, however, a number of exilic and postexilic statements about heaven in relation to God in the Hebrew Bible would be misunderstood if simply interpreted as the increasingly complete conception of divine displacement from the temple. The nature of the situation is more complex. This displacement did in fact take place, but in very different ways. One can observe various tendencies that can be grouped together elementarily as follows:

1. First, wide-ranging celestializing conceptions appear in which the divine residence recedes ever further into the heavens, even into the heaven of the heavens.
2. Furthermore, one can identify "cosmo-theistic" theologies,²¹ which also enthrone God in the heavens, but in addition set him

atischen Theologie 1 (Neukirchen-Vluyn: Neukirchener Verlag, 1988), can thus rely on a biblical complement.

20. Cf., e.g., for Egypt, Erich Hornung, *Der Eine und die Vielen: Ägyptische Gottesvorstellungen*, 5th ed. (Darmstadt: Wissenschaftliche Buchgesellschaft, 1993), 225 ("The temple is a 'heaven' on earth that contains the active image of the deity and itself can serve as the residence" ("Der Tempel ist ein 'Himmel' auf Erden, der das wirkende Bild der Gottheit enthält und ihr selbst als Wohnsitz dienen kann")); in detail on Israel, see Janowski, "Die heilige Wohnung"; Janowski, "Der Himmel auf Erden: Himmlische und irdische Wohnstatt Gottes in Israel und in seiner Umwelt," *JBTh* 20 (2005): 85–110; as well as Keel and Schroer, *Schöpfung*, 88–89 (and cited bibliography).

21. See on this term Jan Assmann, "Magische Weisheit: Wissensformen im ägyptischen Kosmotheismus," in *Weisheit*, ed. Aleida Assmann, Archäologie der literarischen Kommunikation 3 (Munich: Fink, 1991), 241–57, esp. 241; Assmann, *Religion und kulturelles Gedächtnis: Zehn Studien* (Munich: Beck, 2000), 214 and n. 324; Thomas Krüger, "'Kosmo-theologie' zwischen Mythos und Erfahrung: Psalm 104 im Horizont altorientalischer und alttestamentlicher 'Schöpfungs'-Konzepte," *BN* 68 (1993): 49–74; repr., *Kritische Weisheit: Studien zur weisheitlichen Traditionskritik im Alten Testament* (Zurich: TVZ, 1997), 91–120. One can also speak of moderate

in close connection with the world in such a way, for example, that they implicitly or explicitly interpret creation as God's sanctuary.

3. Finally, one can observe conceptions in which God is completely decoupled from the ensemble of heaven and earth (that is, from the world and placed in juxtaposition to it.

The third tendency deserves special mention. One can surmise behind its rise a change in the guiding differentiation (*Leitdifferenz*) in the religion of Judah in the Second Temple period.²² This change took place over the course of the establishment of the foundational choice for monotheism, that God as creator should be fundamentally separate from the world as creation. As a result, the previous classical guiding differentiation of cosmos and chaos was replaced or rather fundamentally transformed.²³ The creation theologumenon, which remains a self-explanatory pronouncement of God in the postexilic period,²⁴ is also at home in celestial and cosmo-theistic conceptions, but it has a different value there. While God is creator in the sense of the builder of the world, he is not merely juxtaposed to it, but rather lives or is enthroned in the heavens. The creational nature of God does not function in this case as a foundational quality, but

“pan(en)theologizing” tendencies; see Hermann Spieckermann, “‘Die ganze Erde ist seiner Herrlichkeit voll’: Pantheismus im Alten Testament,” *ZTK* 87 (1990): 416–36.

22. On this see the foundational treatment by Fritz Stolz, “Unterscheidungen in den Religionen,” in *Wirkungen hermeneutischer Theologie: Eine Zürcher Festgabe zum 70. Geburtstag Gerhard Ebelings*, ed. Hans F. Geisser and Walter Mostert (Zurich: TVZ, 1983), 11–24; Stolz, *Grundzüge der Religionswissenschaft* (Göttingen: Vandenhoeck & Ruprecht, 1988), 234–36; Stolz, *Weltbilder der Religionen: Kultur und Natur–Diesseits und Jenseits–Kontrollierbares und Unkontrollierbares*, Theophil 4 (Zurich: Pano, 2001), 13–15; in exemplary fashion, Konrad Schmid, “Fülle des Lebens oder erfülltes Leben? Religionsgeschichtliche und theologische Überlegungen zur Lebensthematik im Alten Testament,” in *Leben: Verständnis, Wissenschaft, Technik*, ed. Eilert Herms, VWGTh 24 (Gütersloh: Gütersloher Verlaghaus, 2004), 154–64.

23. See Michaela Bauks, “‘Chaos’ als Metapher für die Gefährdung der Weltordnung,” in Janowski and Ego, *Das biblische Weltbild und seine altorientalischen Kontexte*, 431–64 (with further literature); Stolz, *Weltbilder der Religionen*, 53–73.

24. On the preexilic evidence, see Bruce Vawter, “Yahweh: Lord of the Heavens and Earth,” *CBQ* 48 (1986): 461–67. On the epigraphic evidence for אֱלֹהֵי נְאֻרִים from the seventh century BCE from Jerusalem, see Nahman Avigad, “Excavations in the Jewish Quarter of the Old City of Jerusalem,” *IEJ* 22 (1972): 193–200, esp. 195–96; critical is Johannes Renz, *Text und Kommentar*, vol. 1 of *Handbuch der althebräischen Epigraphik* (Darmstadt: Wissenschaftliche Buchgesellschaft, 1995), 197–98.

rather as a *habitus*. To state it in an exaggerated manner, God is not God as creator, but rather God is God, who is also creator.

It is striking, however, that neither the celestializing nor cosmo-theistic pronouncements, nor their—likely critical—receptions of creation theology showed interest with regard to the conception of God in moving the foundational distance and withdrawal of God into the foreground. They instead are, even if this initially sounds paradoxical, focused each in their own different ways on making God's proximity plausible. Beate Ego has clearly shown the plausibility of this dynamic for the celestializing conceptions of God in the Hebrew Bible.²⁵ However, the same impetus resides in the other two tendencies as well, as the works by Thomas Krüger on Ps 104 and especially by Bernd Janowski, Erhard Blum, and Matthias Köckert have shown with regard to the theology of the Priestly document, which distinguishes qualitatively between God and the world consisting of heaven and earth alike.²⁶

31.3. Celestial Conceptions

A search for explicit celestializing conceptions in the Second Temple period brings especially the following evidence to the surface, with no attempt at comprehensiveness but only a certain representativity. Likely the most prominent text explicitly enthroning God in heaven concerns Solomon's temple dedication prayer in 1 Kgs 8 (§31.3.1). Similar statements then appear in several late psalms (§31.3.2) and in Qoheleth (§31.3.3). Finally, also worthy of discussion are the various attestations of the "God of heaven" (§31.3.4).²⁷

25. Ego "Der Herr blickt herab"; see also Houtman, *Der Himmel*, 331.

26. Krüger, "Kosmo-theologie"; Bernd Janowski, *Sühne als Heilsgeschehen: Studien zur Sühnethologie der Priesterschrift und zur Wurzel KPR im Alten Orient und im Alten Testament*, 2nd ed., WMANT 55, (Neukirchen-Vluyn: Neukirchener Verlag, 2000); Janowski, "Ich will in eurer Mitte wohnen"; Erhard Blum, *Studien zur Komposition des Pentateuch*, BZAW 189 (Berlin: de Gruyter, 1990), 287–332; Matthias Köckert, "Leben in Gottes Gegenwart: Zum Verständnis des Gesetzes in der priesterschriftlichen Literatur," *JBTh* 4 (1989): 29–61.

27. On the—corresponding to the localization of God in heaven—frequently attested motif of the heavenly journey or ascension to heaven by visionaries see Mary Dean-Otting, *Heavenly Journeys: A Study of the Motif in Hellenistic Jewish Literature*, *JudUm* 8 (Frankfurt am Main: Lang, 1984); Martha Himmelfarb, *Ascent to Heaven in Jewish and Christian Apocalypses* (New York: Oxford University Press, 1993); James R.

31.3.1. 1 Kings 8

Solomon's temple dedication prayer in 1 Kgs 8, arising within the framework of Deuteronomistic tradition, is of special importance for the inquiry into the putative setting of God in heaven.²⁸ It speaks numerous times of God hearing prayer *in heaven* (on 1 Kgs 8:27, see §31.6.1, below).

The Deuteronom(ist)ic name theology, which has also condensed in various forms in 1 Kgs 8 (vv. 16–20, 29, 33–35, 41–44, 48) must be evaluated in a nuanced manner with regard to the question of God's residence in heaven. Scholars remain divided on its sources, functional-theological setting, and historical placement.²⁹ On the basis of the widespread ancient

Davila, "Heavenly Ascents in the Dead Sea Scrolls," in *The Dead Sea Scrolls after Fifty Years: A Comprehensive Assessment*, ed. Peter W. Flint and James C. VanderKam, 2 vols. (Leiden: Brill, 1999), 461–85.

28. Recent scholarship has made sufficiently clear that Deuteronomism does not concern a literary and intellectual phenomenon limited to the exilic period, but instead represents a long-term movement of tradition that even texts as late as Dan 9 or the book of 4 Ezra can articulate. (Still foundational is Odil H. Steck, *Israel und das gewaltsame Geschick der Propheten: Untersuchungen zur Überlieferung des deuteronomistischen Geschichtsbildes im Alten Testament, Spätjudentum und Urchristentum*, WMANT 23 [Neukirchen-Vluyn: Neukirchener Verlag, 1967]; less successful is Raymond F. Person Jr., *The Deuteronomistic School: History, Social Setting and Literature*, SBLStBL 2 [Atlanta: Society of Biblical Literature, 2002]. On the history of scholarship see Timo Veijola, "Deuteronomismusforschung zwischen Tradition und Innovation [III]," *TRu* 68 [2003]: 1–44.) As a result, one is definitely justified, even compelled to speak of texts in the Second Temple period as Deuteronomistic. On God in heaven, see also Exod 24:9–10: Moses, Aaron, Nadab, Abihu and the seventy elders "ascend and they see the God of Israel; the floor under his feet was like sapphire tiles and as clear as the heavens itself" (John J. Collins, "A Throne in the Heavens: Apotheosis in Pre-Christian Judaism," in *Death, Ecstasy, and Other Worldly Journeys*, ed. John J. Collins and Michael Fishbane [Albany: State University of New York Press, 1995], 45: "God has come down on Mount Sinai, and so they are meeting him half way").

29. Cf. on the one hand Martin Keller, *Untersuchungen zur deuteronomisch-deuteronomistischen Namenstheologie*, BBB 105 (Weinheim: Beltz Athenäum, 1996); Ronald E. Clements, "The Deuteronomistic Law of Centralisation and the Catastrophe of 587 B.C.," in *After the Exile: Essays in Honour of Rex Mason*, ed. John Barton and David J. Reimer (Macon, GA: Mercer University Press, 1996), 5–25; and on the other Janowski, "Ich will in eurer Mitte wohnen," 128–29; Sandra L. Richter, *The Deuteronomistic History and the Name Theology: lešakken šemô šam in the Bible and the Ancient Near East*, BZAW 318 (Berlin: de Gruyter, 2002); Andreas Ruwe, "Kommunikation von Gottes Gegenwart: Zur Namenstheologie in Bundesbuch und Deuteronomium,"

Near Eastern motif of the *šumu-šakānu*,³⁰ there is not, however, immediately the compulsion to conceive of the manner of speech concerning the place where God will choose to “dwell” (לשכן) or rather to “set” (לשים; with Gerhard von Rad) as a relativization or sublimation of the divine presence in the wake of the temple’s destruction.³¹ This manner of speech instead designates the divine appropriation of the sanctuary. Yet this does not exclude but rather includes the fact that the Deuteronomistic name theology was Deuteronomistically modified and reconceived after the loss of the First Temple. Janowski analogously maintains, “The fact is that Deuteronomy did not yet reflect how Yahweh’s dwelling (or rather that of his name) in the earthly sanctuary relates to the divine dwelling in heaven. This problem arises—in a time when the First Temple long lay in ruin—first for the composers of the Deuteronomistic History (DtrH).”³²

Instead of simply categorizing 1 Kgs 8 as Deuteronomistic with the majority of exegetes, it concerns a tiered text. One can identify various

in *Freiheit und Recht: Festschrift für Frank Crüsemann zum 65. Geburtstag*, ed. Christof Hardmeier (Gütersloh: Kaiser Gütersloher Verlaghaus, 2003), 189–223. On the history of scholarship, see Janowski, “Ich will in eurer Mitte wohnen,” 129 n. 40; Keller, *Untersuchungen*, 153–59; Richter, *Name Theology*, 11–36.

30. See already the controversy between Gerhard von Rad, “Deuteronomium-Studien,” in vol. 2 of *Gesammelte Studien zum Alten Testament*, TB 48 (Munich: Kaiser, 1973), 109–53, esp. 127–32; and Roland de Vaux, “Le lieu que Yahvé a choisi pour y établir son nom,” in *Das ferne und nahe Wort: Festschrift Leonhard Rost zur Vollendung seines 70. Lebensjahres am 30. November 1966 gewidmet*, ed. Fritz Maass, BZAW 105 (Berlin: Töpelmann, 1967), 219–28 (cf. Ernst Würthwein, *Die Bücher der Könige*, ATD 11, 2 vols. [Göttingen: Vandenhoeck & Ruprecht, 1977–1984], 1:102–3); see Richter, *Name Theology* (cf. on this the review by Tryggve D. Mettinger, *RBL* [Oct. 2004], <https://tinyurl.com/SBL2646b>; and Mettinger, *The Dethronement of Sabaoth: Studies in the Shem and Kabod Theologies*, ConBOT 18 [Lund: Gleerup, 1982]).

31. Von Rad, “Deuteronomium-Studien,” 127–32 (on this, see the critique in Blum, *Komposition des Pentateuch*, 297–98).

32. Janowski, “Ich will in eurer Mitte wohnen,” 129–30: “Das Deuteronomium hat noch nicht darüber reflektiert, wie sich das Wohnen Jahwes (bzw. seines Namens) im irdischen Heiligtum zum Wohnen Gottes im Himmel verhält. Dieses Problem stellte sich—in einer Zeit, als der erste Tempel längst in Trümmern lag—erst den Verfassern des Deuteronomistischen Geschichtswerks (DtrG).” The thesis of a Deuteronomistic History has, however, become the subject of considerable discussion; see Konrad Schmid, “Das Deuteronomium innerhalb der ‘deuteronomistischen Geschichtswerke’ in Gen–2Kön,” in *Das Deuteronomium zwischen Pentateuch und deuteronomistischem Geschichtswerk*, ed. Eckart Otto and Reinhard Achenbach, FRLANT 206 (Göttingen: Vandenhoeck & Ruprecht, 2004), 193–211.

stages—in terms of content, especially 8:14–21, 22–53, 54–51, and 62–64 diverge from one another (which does not exclude further compositional distinctions)—that reflect the fate of the temple in a literary and theological manner. The latest portions, exhibiting the notion of YHWH’s “forgiveness” (סלח in 8:30, 34, 36, 39, 50), evidently are already under Priestly influence.³³

The compositional development of 1 Kgs 8 can be read in the exemplary fashion of the literary-historical rapture of the divine throne in the heavens. In 1 Kgs 8, the dominant conception beginning in 8:22—apparently as a further development of 8:14–21—is that God’s presence is not bound to the temple, but God himself reigns in heaven. The new beginning of the prayer in 8:22 has Solomon stretching out his hands “toward heaven” (השמים), and the following statement explicitly mentions the heavenly throne of God:

O hear in [אל]³⁴ the place of your throne, in [אל] heaven, that you hear and forgive. (1 Kgs 8:30)

33. Cf. Eep Talstra, *Solomon’s Prayer: Synchrony and Diachrony in the Composition of I Kings 8, 14–61*, CBET 3 (Kampen: Kok Pharos, 1993); Konrad Schmid, *Genesis and the Moses Story: Israel’s Dual Origins in the Hebrew Bible*, Siphut 3 (Winona Lake, IN: Eisenbrauns, 2010), 150–51 n. 652; trans. of *Erzväter und Exodus: Untersuchungen zur doppelten Begründung der Ursprünge Israels innerhalb der Geschichtsbücher des Alten Testaments*, WMANT 81 (Neukirchen-Vluyn: Neukirchener Verlag, 1999), 164–65 n. 660 (for bibliography); and recently Thomas Römer, “Une seule maison pour le Dieu unique? La centralisation du culte dans le Deutéronome et dans l’historiographie deutéronomiste,” in *Quelle maison pour Dieu?*, ed. Camille Focant, LD (Paris: Cerf, 2003), 49–80 (bibliography); different is, e.g., Roger Tomes, “‘Our Holy and Beautiful House’: When and Why Was 1 Kings 6–8 Written?,” *JSOT* 70 (1996): 33–50; Gary N. Knoppers, “Prayer and Propaganda: Solomon’s Dedication of the Temple and the Deuteronomist’s Program,” in *Reconsidering Israel and Judah: Recent Studies on the Deuteronomistic History*, ed. Gary N. Knoppers and J. Gordon McConville, SBTS 8 (Winona Lake, IN: Eisenbrauns, 2000), 370–96 (and bibliography).

34. See Martin Noth, *Könige I*, BKAT 9.1 (Neukirchen-Vluyn: Neukirchener Verlag, 1968), 173: “The difficult אל (2×) in 30b should not be simplified by changing the text with G (ἐν) or S (מן) (see already 2 Chr 6:21), but retained as *lectio difficilior*, and connected zeugmatically with תשמע (the prayer should reach into the heavens and find a hearing there)” (“Das etwas schwierige אל [bis] in 30b ist nicht mit G [ἐν] oder S [מן] durch Textveränderung zu vereinfachen [so schon 2Ch 6,21], sondern als *lectio difficilior* beizubehalten und als zeugmatisch mit תשמע verbunden aufzufassen [die Gebete sollen bis zum Himmel gelangen und dort Gehör finden]).” See also the discussion in Houtman, *Der Himmel*, 334.

And when they stretch out their hands toward your house, then hear in heaven [השמים], the place of your throne. (1 Kgs 8:38–39)

When your people go out to fight their enemy..., and they entreat YHWH..., then hear their prayer in heaven [השמים]. (1 Kgs 8:44–45)

These statements clearly substantiate what was already mentioned earlier (see nn. 25–26, above). Speech about God's heavenly throne does not serve to distance God per se, but this distance makes contact with God possible beyond institutional cultic contexts. Said differently, through God's enthronement in heaven, he can even hear prayers when his Jerusalem temple lies in ruins. This theology of the closeness of prayers to God is then articulated quite clearly in 1 Kgs 8:59–60 (cf. Deut 4:7; 30:12).³⁵

What, then, is the symbolic function of this cosmological statement in 1 Kgs 8? It is quite evident that the language of God's throne in heaven connects with a pronounced semantics of dominion.³⁶ God is enthroned as king in heaven. As universal king of the entire world, he naturally has his throne over it. He is available in this location for human supplication and prayers, and he can intervene powerfully from there on behalf of each petitioner. God's royal power is no longer concentrated geographically on Zion/Jerusalem, but it is imparted from heaven and therefore explicitly available on a universal basis.

31.3.2. Psalms

Similar statements on the explicit location of God's throne in heaven like 1 Kgs 8 appear in different places in the Psalter, in texts or parts of texts that can hardly reach back earlier than the Persian period, such as Ps 2:4:³⁷

The one enthroned in heaven [ישב בשמים] laughs,

35. Janowski, "Ich will in eurer Mitte wohnen," 133; Collins, "Throne," 45.

36. See Martin Metzger, "Der Thron als Manifestation der Herrschermacht in der Ikonographie des Vorderen Orients und im Alten Testament," in *Schöpfung, Thron und Heiligtum*, 95–151.

37. On the postexilic placement of this statement see Friedhelm Hartenstein, "'Der im Himmel thront, lacht' (Ps 2,4): Psalm 2 im Wandel religions- und theologisches geschichtlicher Kontexte," in *Gottessohn und Menschensohn: Exegetische Studien zu zwei Paradigmen biblischer Intertextualität*, ed. Dieter Sängner, BThSt 67 (Neukirchener-Vluyn: Neukirchener Verlag, 2004), 174–81 and n. 35.

YHWH mocks them.

Psalm 33 offers an analogous conception. It is the only psalm in the Davidic Psalter of Pss 3–41 that does not bear a superscription. It should possibly be viewed as a literary continuation from Ps 32. Further, on the basis of its universal point of view and the proximity of its content to Sir 39, one should likely date it to the Hellenistic period.³⁸

From heaven YHWH looks,
He watches all humanity,
From the place of his throne he looks down upon all the residents of the earth. (Ps 33:13)

The postexilic Pss 103 and 123 are just as explicit with regard to God's heavenly throne:³⁹

YHWH established his throne in heaven [בשמים],
and his kingdom reigns over the universe. (Ps 103:19)

To you I lift up my eyes,
For you are the one enthroned in heaven [הישבי בשמים]. (Ps 123:1)

The likewise postexilic Ps 115:15–16 also implies the notion that God's residence is in heaven, corresponding to humans' earthly residence.⁴⁰ At the same time, however, it expressly maintains that God created (עשה) the heavens and the earth. According to Ps 115:15–16, the creator is expressly present in his creation.

You are blessed by YHWH,
Who made heaven and earth.
The heavens are heavens for YHWH [השמים שמים ליהוה],
But the earth he gave to humans.

38. Frank-Lothar Hossfeld and Erich Zenger, *Psalm 1–50*, vol. 1 of *Die Psalmen*, NEchtB (Würzburg: Echter, 1993), 206–7; Markus Witte, “Das neue Lied: Beobachtungen zum Zeitverständnis von Psalm 33,” *ZAW* 114 (2002): 522–41.

39. See the redaction-historical outline in Martin Leuenberger, *Konzeptionen des Königtums Gottes im Psalter: Untersuchungen zu Komposition und Redaktion der theokratischen Bücher IV–V im Psalter*, ATANT 84 (Zurich: TVZ, 2004), 179–87.

40. See Leuenberger, *Konzeptionen*, 293.

A further aspect results from the statement in Ps 115. God's explicit connection with the heavens is aimed at the impossibility of representing him with an image, which fundamentally sets him apart from the idols of the nations:

Why should the nations say:
Where is, then, their God?
Our God is in heaven [וְאֱלֹהֵינוּ בַשָּׁמַיִם];
He accomplishes what he desires.
Your idols are silver and gold,
The efforts of human hands.
They have a mouth and do not speak,
have eyes and do not see.
They have ears and do not hear,
have a nose and do not smell.
They do not feel with their hands,
with their feet they do not walk,
with their throat they produce no sound. (Ps 115:2–7)

These texts from the Psalms are also comparable to 1 Kgs 8 with regard to the function of their symbols. Just as the cosmological determination of the divine throne in heaven in 1 Kgs 8 accompanies the stately aspects of the kingdom of God, this is understood primarily in soteriological terms within the context of these psalms. God is able to intervene on behalf of the petitioner in his world on the basis of his capacity as ruler of the world—his position in heaven is unassailable, and he is “constantly ready to act on behalf of his own.”⁴¹

31.3.3. Qoheleth 5:1

Do not be hasty with your mouth, and your heart shall not hurry to bring something before God. For God is in heaven [כִּי הָאֱלֹהִים בַּשָּׁמַיִם] and you are on the earth [וְאַתָּה עַל הָאָרֶץ]. Therefore, do not speak many words.

This admonition toward restraint in prayer from the book of Qoheleth argues that God is fundamentally inaccessible and superior to humans, and this superiority is depicted with the image of God's cosmic position

41. Hartenstein, “‘Der im Himmel thront, lacht’ (Ps 2,4),” 178: “in ständiger Handlungsbereitschaft für die Seinen.”

in heaven, above humanity's earthly existence. Qoheleth 5:1 argues against interaction with God that does not respect this distance; it does not argue against interaction itself. "The knowledge of the *gap* between God and humanity in no way excludes a *relationship* between the two."⁴² The fact that God is in heaven in Qoh 5 again represents his power, which humans cannot perceive, but to which they ought to defer.

31.3.4. The Title "God of Heaven"

The surprisingly narrow literary and theological-historical range for the attestations of the title "God of heaven" should likewise fundamentally be interpreted within the framework of the celestial conception of God.⁴³ The orientation of its content does not appear primarily conditioned by theological concerns but is rather of a pragmatic nature. The title evidently serves largely to provide intercultural comprehensibility about the highest God. Implicit in this may be the notion that the highest God entitled in this way cannot be represented by an image (see above on Ps 115:2–7, 15–16).

What now becomes immediately striking is the singular attestation for YHWH as God of heaven in Chronicles (2 Chr 36:23; cf. Ezra 1:2),⁴⁴ which appears in the Chronistic Cyrus Edict. "The literary character of the Chr is to have the Persian ruler speak in the style of foreign official language ...; the title is often encountered in the Elephantine Papyri in correspondence with non-Jews."⁴⁵ The evidence for the title God of heaven points in the

42. Thomas Krüger, *Kohelet (Prediger)*, BKAT 19 (Sonderband) (Neukirchen-Vluyn: Neukirchener Verlag, 2000), 210, emphasis original: "Das Wissen um den *Abstand* zwischen Gott und Mensch schliesst eine *Beziehung* zwischen beiden keineswegs aus"; see also Ludger Schwienhorst-Schönberger, *Kohelet*, HThKAT (Freiburg im Breisgau: Herder, 2004), 313–14.

43. See nn. 6–7, above, and Herbert Niehr, "God of Heaven," *DDD*, 370–72; D. K. Andrews, "Yahweh the God of the Heavens," in *The Seed of Wisdom: Essays in Honour of T. J. Meek*, ed. W. Stewart McCullough (Toronto: University of Toronto Press, 1964), 45–57. Whether Houtman's (*Der Himmel*, 106) conjecture ("The designation 'God of heaven' is probably a variant of the designation 'God of heaven and earth'; it perhaps came about through the shortening of the longer [see Gen 24:3 next to 24:7 and Ezra 5:11 next to 5:12]) is correct remains uncertain.

44. See Sara Japhet, *2 Chronik*, HThKAT (Freiburg im Breisgau: Herder, 2003), 511.

45. Antonius H. J. Gunneweg, *Ezra*, KAT 19.1 (Gütersloh: Mohn 1985), 42–43:

same direction in the Hebrew Bible: Its use comes almost entirely either by Israelites in contact with non-Israelites or by non-Israelites (in addition to 2 Chr 36:23 // Ezra 1:2, worthy of mention are Ezra 5:12; 6:9–10; 7:21, 23; Jonah 1:9; Dan 2:37, 44; Jub. 12.7). The exceptions in Neh 1:4–5; 2:4, 20; and Dan 2:18–19 (see also Jdt 6:19; 11:17; Jub. 20.7; 22.19; further 1QS XI, 5–9) are mostly conditioned by their content as attempts to emphasize the religious proximity of Jews to the foreign empire from a Jewish point of view.⁴⁶ However, one can exclude the idea that the title itself is of Persian provenance.⁴⁷ It can be readily explained within the framework of the theological history of the Hebrew Bible's explicit tendency toward the celestialization of the conception of God.

Therefore, the prominence of the title God of heaven demonstrates a foundational intercultural common sense with regard to the conception of God in the Persian period. God enthroned in heaven as the universal ruler over the entire world is understood analogously to the worldwide Persian Empire. The stately connotations of this understanding of God are especially clear in, for example, 2 Chr 36:23 // Ezra 1:2 ("Thus says Cyrus, king of the Persians: 'YHWH, the God of heaven, gave all the kingdoms of the world to me'") or Ezra 7:12, 21 ("law of the God of heaven").

"Schriftstellerische Eigenart des Chr ist es, dass er den persischen Herrscher im Stil ausländischer Kanzleisprache reden lässt...; der Titel begegnet häufig in den Elephantine Papyri im Schriftwechsel mit den Nichtjuden"; see also John J. Collins, *Daniel, Hermeneia* (Minneapolis: Fortress, 1993), 159 ("In the Persian Period, it was probably proposed by the Jews as a title that would be in accordance with the traditional Israelite view of Yahweh as creator of heaven and earth but could also be appreciated by the Persians, who worshipped a celestial God, although they did not address him by this title"). Ahura Mazda appears as creator of heaven, earth, humanity, and the fullness of blessing in slight variations in DNa §1 (Franz H. Weissbach, *Die Keilinschriften der Achämeniden*, VAB 3 [Leipzig: Hinrichs, 1911]), 87, DSac §1 (Weissbach, *Die Keilinschriften*, 99), DEa §1 (Weissbach, *Die Keilinschriften*, 101), DZc §1 (Weissbach, *Die Keilinschriften*, 103), XPa §1 (Weissbach, *Die Keilinschriften*, 107), XPb §1 (Weissbach, *Die Keilinschriften*, 109), XPc §1 (Weissbach, *Die Keilinschriften*, 111), XPd §1 (Weissbach, *Die Keilinschriften*, 113), XEa §1 (Weissbach, *Die Keilinschriften*, 117), XVa §1 (Weissbach, *Die Keilinschriften*, 117), A³P §1 (Weissbach, *Die Keilinschriften*, 129).

46. See Christiane Karrer, *Ringens um die Verfassung Judas: Eine Studie zu den theologisch-politischen Vorstellungen im Esra-Nehemia-Buch*, BZAW 308 (Berlin: de Gruyter, 2001), 202–3.

47. See Niehr, "God of Heaven," 372.

31.4. Cosmo-Theistic Conceptions

In addition to these celestializing conceptions, a number of texts in the Hebrew Bible present the view that a celestial God of this kind is apparently too strongly dissociated from the present world. While they join up with the notion of God's heavenly throne, they simultaneously declare the cosmos his sanctuary and make God (or his "glory") present and available to human experience. It appears that this understanding activates earlier, already available lines of tradition, that, for their part have been influenced by ancient Near Eastern models.⁴⁸ The theology of the Jerusalem temple in the monarchic period was thoroughly accustomed to notions that could approximate a cosmo-theism—also mistakenly classifiable as pan(en)theism.⁴⁹ It is especially tangible, for example, in Isa 6:1–5; Ps 24:7–10 (cf. the concluding doxology formulated as a petition in Ps 72:19). The following discussion will address the examples Ps 104 (§31.4.1), Ps 57 (§31.4.2), Amos 9:5–6 (§31.4.3), Deut 3:24 and 4:39 (§31.4.4), and Isa 66:1–2 (§31.4.5).

31.4.1. Psalm 104

Psalm 104 likely looks back on a longer formation history that could reach back into the monarchic period, but in its current shape, however, it "mirrors the postexilic period [*nachexilisch reflektiert*"]⁵⁰ According to 104:3–4, the psalm presupposes a heavenly palace for YHWH in which YHWH and his court (winds and flames of fire as servants of God) reside. YHWH is enthroned in heaven. At the same time, it is striking that Ps 104 attempts "to describe *Yahweh's global dominion* and his control over chaos *without a temple* [on earth]."⁵¹ As a result the cosmos itself takes on significance as a theological temple in Ps 104 (cf. יריעה in v. 2; עליה in v. 3; שרת

48. See, e.g., Jan Assmann, *Ägypten: Theologie und Frömmigkeit einer frühen Hochkultur*, UTB 366 (Stuttgart: Kohlhammer, 1991), 68–84.

49. Cf. Spieckermann, "Die ganze Erde ist seiner Herrlichkeit voll."

50. Hartenstein, "Wolkendunkel und Himmelsfeste," 165; cf. Matthias Köckert, "Literargeschichtliche und religionsgeschichtliche Beobachtungen zu Ps 104," in *Schriftauslegung in der Schrift: Festschrift für Odil Hannes Steck zu seinem 65. Geburtstag*, ed. Reinhard G. Kratz, Thomas Krüger, and Konrad Schmid, BZAW 300 (Berlin: de Gruyter, 2000), 259–79.

51. Jörg Jeremias, *Das Königtum Gottes in den Psalmen: Israels Begegnung mit dem kanaänischen Mythos in den Jahwe-Königs-Psalmen*, FRLANT 141 (Göttingen:

in v. 4; מְכוֹן in v. 5; מְעִינִים in v. 10; עֲצֵי יְהוָה in v. 16; מַחֲסֵה in v. 18; כְּבוֹד in v. 31).⁵² The correspondence of temple and creation in itself is a common topos.⁵³ However, on the basis of the omission of the temple in Ps 104, it is likely that the symbolic association of temple and creation “here is in a sense ‘superseded,’ so the cosmos itself *is* Yahweh’s ‘sanctuary’ such that an ‘earthly’ temple becomes superfluous, at least losing its cosmos-stabilizing function.”⁵⁴ God’s care for the world can be experienced in every moment even without a temple: God is detectable in it. Therefore, one finds the articulation of a very different conception from the celestialization notion viewed above in section 31.3. While God reigns in heaven according to Ps 104, at the same time Ps 104 implicitly interprets the cosmos as his sanctuary. God’s proximity is guaranteed by a specific interpretation of the world that emphasizes not only his sovereignty, but also his sacredly designated presence in the cosmos.

31.4.2. Psalm 57

In terms of its composition, Ps 57 likely represents a text consisting of literary supplementation, especially around 57:10–11.⁵⁵ These verses reveal that its earliest form still clearly offered a celestializing conception of God. In his distress, the petitioner expects God’s intervention from heaven, from where God sends his kindness and faithfulness:

He will send from heaven [יִשְׁלַח מִשָּׁמַיִם] and help me

Vandenhoeck & Ruprecht, 1987), 45, emphasis original: “*Jahwes Weltherrschaft und seine Kontrolle über das Chaos ohne Tempel zu umschreiben.*”

52. See the note in Krüger, “Kosmo-theologie,” 68–69. Köckert’s criticism (“Beobachtungen,” 264–65) of Krüger (“Kosmo-theologie,” 67) relates to his interpretation that YHWH’s *chaoskampf* is “even experienced in the present” [“auch gegenwärtig noch erfahrbar”], but not in the cosmo-theological worldview of Ps 104 in its present form.

53. See esp. Janowski, “Tempel”; Janowski, “Die heilige Wohnung,” Janowski, “Der Himmel auf Erden.”

54. Krüger, “Kosmo-theologie,” 69, emphasis original: “hier in dem Sinn ‘überholt’ wird, dass der Kosmos selbst Jahwes ‘Heiligtum’ *ist*, sodass ein ‘irdischer’ Tempel damit überflüssig wird, mindestens aber seine Kosmos-stabilisierende Funktion verliert.”

55. Frank-Lothar Hossfeld and Erich Zenger, *Psalmen 51–100*, HThKAT (Freiburg im Breisgau: Herder, 2000), 118–30.

From the abuse of those who are close to me. Selah.

God shall send his kindness [חסדו] and his faithfulness [ואמתו]. (Ps 57:4)

A further development of the content of 57:4 can be deduced from 57:11. While 57:11 “on one hand takes up the nouns ‘kindness’ and ‘faithfulness’ from v. 4, it has a different conception there. While ‘kindness and faithfulness’ in that verse should be sent down from God enthroned in heaven to the earth to rescue the petitioner, according to v. 11 they reach *up* as far as the heavens.”⁵⁶

For as great as to the heavens is your kindness [כי גדל עד שמים חסדך],
And as high as the clouds, your faithfulness [ואמתך].

God’s attributes are, therefore, no longer only explicitly located in the place of his heavenly throne and petitioned to descend from there, but from the outset they fill the present world, which in a sense can be extrapolated to be a sanctuary.

The reception of Ps 57:8–12 in (the only Hasmonean?)⁵⁷ Ps 108:5–6 goes one step further in the refrain from 108:6 taken from 57:6, 12:

For great, beyond the heavens [מעל שמים] is your kindness,
And as far as the clouds [ועד שחקים] reaches your faithfulness.
Elevate yourself over the heavens [רומה על השמים], God,
And may your glory be over the entire earth [על כל הארץ כבודך].

Therefore, in Ps 108:5–6, “the kindness [reaches] even above the heavens, that is, into the heavenly sphere where God’s palace is located.”⁵⁸

The theological-historical development, which is evidently literarily mediated, from Ps 57:4 through Ps 57:11 to Ps 108:5–6 concerns an ever increasingly comprehensive filling of the cosmos with the divine emanations of חסד and אמת. Perception of God is emphasized through

56. Hossfeld and Zenger, *Psalmen 51–100*, 122, emphasis original: “nimmt zwar einerseits die Nomina ‘Güte’ und ‘Treue’ aus V 4 auf, aber dort liegt eine etwas andere Vorstellung vor. Während ‘Güte und Treue’ dort von dem im Himmel thronenden Gott auf die Erde zur Rettung des Beters herabgeschickt werden sollen, reichen sie nach V 11 bis in den Himmel *hin*auf”

57. See Ernst Axel Knauf, “Ps LX und Psalm CVIII,” *VT* 50 (2000): 55–65.

58. Hossfeld and Zenger, *Psalmen 51–100*, 122: “die Güte sogar über die Himmel hinaus, d.h. bis in den Himmelsraum, wo der Palast Gottes steht, hinein.”

the increasing intensity of the presence of his attributes in the world. This compensates, therefore, for God's celestialization by means of the cosmo-theizing of the world.

31.4.3. Amos 9:5–6

The final so-called doxology of the book of Amos offers a specifically cosmological conception that also deserves mention here.⁵⁹

But the Lord, YHWH Sabaoth, who touches the earth so that it rocks and all its inhabitants mourn, so that it as a whole heaves like the Nile and sinks like the current of Egypt, who built in heaven [בשמים] his steps (?) [מעלותו] and established [יסד] his strap (?) [ואגדתו] upon/over the earth [על ארץ], who calls the water of the sea, and it is poured out upon the earth—YHWH is his name! (Amos 9:5–6)

While the understanding of this statement is complicated by the uncertainty of the terms מעלותו⁶⁰ ("steps"?) and אגדה⁶¹ ("strap"?), however one defines them, it is sufficiently clear on the basis of their semantic affiliation with the sphere of architectonics and their suffixes that the text has God's construction on/above the earth as well as in heaven in view. Hartenstein interprets YHWH's "steps" built in heaven as "a part of his *intra-heavenly residence* above the (not explicitly mentioned) firmament (with the stars). ... And the 'establishment' [יסד] of 'his strap' 'over the earth' could then be understood as the concluding *stabilization of the heavens above the surface of the earth through the cosmic strap*."⁶² On the basis of his control over

59. See Klaus Koch, "Die Rolle der hymnischen Abschnitte in der Komposition des Amos-Buches," ZAW 86 (1974): 504–37; Jörg Jeremias, *Der Prophet Amos*, ATD 24.2 (Göttingen: Vandenhoeck & Ruprecht, 1995), 56–58. Hartenstein, "Wolkendunkel und Himmelsfeste," 158, attempts to bring it into specific relation with the Bethel sanctuary on the basis of Gen 28:12–13 and Amos 9:1–4. However, the relationships he observes can also be explained in alternative fashion.

60. Often conjectured for עליה "upper chamber," cf. BHS, HAL 1:10, Jeremias, *Amos*, 123 n. 4; see the critique by Koch, "Die Rolle der hymnischen Abschnitte," 525 n. 86; Hartenstein, "Wolkendunkel und Himmelsfeste," 155.

61. HAL 1:10: "Himmelsgewölbe"; Koch, "Die Rolle der hymnischen Abschnitte," 526, correctly considers this meaning made up; see also Hartenstein, "Wolkendunkel und Himmelsfeste," 155.

62. Hartenstein, "Wolkendunkel und Himmelsfeste," 164, emphasis original: "Teil seiner *innerhimmlischen Residenz* über dem (nicht ausdrücklich genannten)

the “strap,” YHWH is able to make the earth waver (Amos 9:5). On the flip side—almost singular within the Hebrew Bible⁶³—the explicit cosmic “foundation” or “establishment” (יסד) of YHWH’s heavenly residence on or above the earth so that “the palace of the ruler of the world (cf. the concluding emphasis on ‘Yahweh his name’) also exists securely when his earthly temple is desecrated and his people abandoned.”⁶⁴ As a result, one can also recognize a cosmo-theistic perspective behind Amos 9:5–6. This point of view apparently provides the judgment-doxological focus of Amos 9:5–6 a particular service. It shows that God’s judgment upon Israel—dangerous on a fundamental level as well—arises out of a close connection with the earth.

31.4.4. Deuteronomy 3:24; 4:39

For who is God in heaven [בשמים] and upon the earth [ובארץ], who could do deeds and wonders like yours? (Deut 3:24b)

So you should recognize today and consider in your hearts that YHWH is God above in heaven [בשמים ממעל] and below on the earth [ועל הארץ מתחת], no one else. (Deut 4:39)

A variety of cosmo-theistic theology appears in the opening, framing chapters of Deuteronomy in Deut 3 and 4.⁶⁵ The explicit view advocated in Deut 3:24; 4:39 concerns—perhaps in direct deduction from, and continu-

Firmament (mit den Sternen).... Und die ‘Gründung’ [יסד] ‘seines Bandes’ ‘über der Erde’ könnte dann als die abschliessende *Festigung des Himmels über der Erdoberfläche durch das kosmische Band* verstanden werden.”

63. Otherwise, this statement is either of the “establishment” of the earth or of Zion; Jeremias, *Amos*, 127 n. 17, refers to 2 Sam 22:8 (Ps 18:8 is different; see n. 17, above,) as a distant parallel in content.

64. Jeremias, *Amos*, 127: “der Palast des Weltenherrschers (vgl. das abschliessende betonte ‘Jahwe sein Name’) auch dann fest besteht, wenn dieser seinen eigenen Tempel auf Erden entweiht und sein Volk verwirft.”

65. On the “late Deuteronomistic” placement of Deut 3:23–28 and the close connections to Deut 34:10, see Hans-Christoph Schmitt, “Dtn 34 als Verbindungsstück zwischen Tetrateuch und Deuteronomistischen Geschichtswerk,” in *Das Deuteronomium zwischen Pentateuch und Deuteronomistischem Geschichtswerk*, ed. Eckart Otto and Reinhard Achenbach, FRLANT 206 (Göttingen: Vandenhoeck & Ruprecht, 2004), 183. On the postpriestly date of Deut 4 see Eckart Otto, “Deuteronomium 4: Die Pentateuchredaktion im Deuteronomiumsrahmen,” in *Das Deuteronomium und*

ation of, celestializing statements like those in 1 Kgs 8:22–49—the fact that God is (namely, is powerful) not only “in heaven” but also “upon the earth.” This statement functions as a merism for “everywhere.” Deuteronomy 3 and 4 apparently minimize talk of the location of a throne or residence for God. They instead intend to articulate God’s comprehensive power in heaven as well as on earth. For this reason they emphasize, arguably with awareness of the celestializing conception of God, God’s identical presence in heaven *and* on earth.

31.4.5. Isaiah 66:1–2

Finally, one can compare the statement in Isa 66:1⁶⁶ and its reception in 1 En. 84.2, which enthrones God metaphorically upon the heavens and the earth:

Thus says YHWH: The heaven is my throne and the earth is my footstool. Where is the house that you could build me, and where is my resting place? (Isa 66:1)

And all heavens (are) your throne in eternity and the whole earth your footstool forever and in all eternity. (1 En. 84.2)

Here the cosmos is not only interpreted in a broader theological sense as the temple, but specifically identified as the throne and footstool of God itself. The intention of the proposition, however, remains comparable: God is not only an entity enthroned in heaven, but the cosmos as a whole

seine Querbeziehungen, ed. Timo Veijola, SESJ 62 (Helsinki: Finnish Exegetical Society; Göttingen: Vandenhoeck & Ruprecht, 1996), 196–222.

66. See the detailed treatment by Matthias Albani, “‘Wo sollte ein Haus sein, das ihr mir bauen könntet?’ (Jes 66,1): Schöpfung als Tempel JHWHs?,” in *Gemeinde ohne Tempel = Community without Temple: Zur Substituierung und Transformation des Jerusalemer Tempels und seines Kults im Alten Testament, antiken Judentum und frühen Christentum*, ed. Beate Ego, Armin Lange, and Peter Pilhofer, WUNT 118 (Tübingen: Mohr Siebeck, 1999), 37–56. On the path of theological history to this statement see Ps 99:5, 9; Lam 2:1; Jer 17:12–13; Jer 3:17 (Jerusalem as the throne of YHWH); Jer 14:19 (Judah as the throne of YHWH); see Martin Metzger, “‘Thron der Herrlichkeit’: Ein Beitrag zur Interpretation von Jer 17,12f,” in *Schöpfung, Thron und Heiligtum: Beiträge zur Theologie des Alten Testaments*, BThSt 57 (Neukirchen-Vluyn: Neukirchener Verlag, 2003), 152–87.

is influenced by him and is part of his sanctuary. To be more specific, the cosmos corresponds to the innermost part of his sanctuary, his throne and footstool.

31.5. Theological Distinctions and Critique of Celestializing and Cosmo-theistic Conceptions of God

The celestializing mode of speaking about God as well as the cosmo-theistic conceptions became the object of further (implicit) innerbiblical theological differentiations and even critique. It need not be surprising that this criticism was primarily expressed on the basis of strict monotheistic conceptions, whether of an inclusive or exclusive nature.⁶⁷ Within the framework of a fundamentally monotheistic position, God can apparently no longer be conceived fundamentally together with the creation. Even the most distant and nonworldly heavens cannot be considered a place for God's residence. The world is anything but God's sanctuary or throne. It is nothing more or less than the "world." Noteworthy here, in exemplary fashion, are the Priestly document (§31.5.1) and the book of Job (§31.5.2).

31.5.1. The Priestly Document

The Priestly document does not use the title "God of heaven."⁶⁸ On analogy with its concentrically conceived relation first with the world, second

67. See Konrad Schmid, "Differenzierungen und Konzeptualisierungen der Einheit Gottes in der Religions- und Literaturgeschichte Israels: Methodische, religionsgeschichtliche und exegetische Aspekte zur neueren Diskussion um den sogenannten 'Monotheismus' im antiken Israel," in *Der eine Gott und die Götter: Polytheismus und Monotheismus im antiken Israel*, ed. Manfred Oeming and Konrad Schmid, ATANT 82 (Zurich: TVZ, 2003), 11–38.

68. See the introductory discussions by Klaus Koch, "P—kein Redaktor! Erinnerung an zwei Eckdaten der Quellenscheidung," VT 37 (1987): 446–467; Thomas Pola, *Die ursprüngliche Priesterschrift: Beobachtungen zur Literarkritik und Traditionsgeschichte von Pg*, WMANT 70 (Neukirchen-Vluyn: Neukirchener Verlag, 1995); Eckart Otto, "Forschungen zur Priesterschrift," TRu 62 (1997): 1–50; Erich Zenger, "Priesterschrift," TRE 27:435–46; Zenger, *Einleitung in das Alte Testament*, 5th ed., KStTh 1.1 (Stuttgart: Kohlhammer, 2004), 156–75; on the theology, see Norbert Lohfink, "Die Priesterschrift und die Geschichte," in *Congress Volume Göttingen 1977*, ed. John A. Emerton, VTSup 29 (Leiden: Brill, 1978), 183–225; repr., *Studien zum Pentateuch*, SBAB 4 (Stuttgart: Katholisches Bibelwerk, 1988), 213–53; Ernst Axel Knauf,

with the broader ecumenical community of Abraham's descendants Ishmael (Arabs), Esau (Edomites), and Jacob (Israelites), or third with Israel, it instead speaks of God as Elohim, El Shaddai, and YHWH.⁶⁹ The fact that this negative evidence with regard to avoidance of God of heaven is not accidental receives support from the fact that the Priestly document does not connect the heavens with God or the divine sphere in any special way. The heavens are instead accorded a place completely as part of the world and placed "in the midst of the waters." Heaven is not a sacred space set apart. It instead functions, with its curvature, as providing the earthly sphere of life. The heaven is merely one work among others,⁷⁰ which first becomes heaven through a process of naming:

And God said: Let there be a firmament in the midst of the water to separate (continuously) between water and water. And God made the firmament, so that it separated the waters underneath the firmament from the waters above the firmament. And it was so. And God called the firmament heaven. (Gen 1:6–8a)⁷¹

"Der Exodus zwischen Mythos und Geschichte: Zur priesterschriftlichen Rezeption der Schilfmeer-Geschichte in Ex 14," in Kratz, Krüger, and Schmid, *Schriftauslegung in der Schrift*, 73–84; Knauf, "Die Priesterschrift und die Geschichten der Deuteronomisten," in *The Future of Deuteronomistic History*, ed. Thomas Römer, BETL 147 (Leuven: Peeters, 2000), 101–18.

69. On this see Albert de Pury, "Abraham: The Priestly Writer's 'Ecumenical' Ancestor," in *Rethinking the Foundations: Historiography in the Ancient World and in the Bible, Essays in Honour of John Van Seters*, ed. Steven L. McKenzie and Thomas Römer, BZAW 294 (Berlin: de Gruyter, 2000), 163–81; de Pury, "Gottesname, Gottesbezeichnung und Gottesbegriff: 'Elohim als Indiz zur Entstehungsgeschichte des Pentateuch,'" in *Abschied vom Jahwisten: Die Komposition des Hexateuch in der jüngsten Diskussion*, ed. Jan C. Gertz, Konrad Schmid, and Markus Witte, BZAW 315 (Berlin: de Gruyter, 2002), 25–47; Knauf, "Die Priesterschrift und die Geschichten der Deuteronomisten."

70. The only attestation within the Priestly document that could indicate a well-developed notion of the heavens is the pl. נְעֻשָׁה in Gen 1:26, if one interprets it as the heavenly court. However, this is controversial and improbable. See Walter Gross, "Die Gottebenbildlichkeit des Menschen im Kontext der Priesterschrift," in *Studien zur Priesterschrift und zu alttestamentlichen Gottesbildern*, SBAB 30 (Stuttgart: Katholisches Bibelwerk, 1999), 11–36, esp. 19–20. Neither can one build any conclusions from the "gods of the Egyptians" in Exod 12:12 (P).

71. See Odil H. Steck, *Der Schöpfungsbericht der Priesterschrift. Studien zur literarkritischen und überlieferungsgeschichtlichen Problematik von Gen 1,1–2.4a*, 2nd ed.,

Therefore, in Gen 1 the heavens do not constitute God's residence or domain, which is especially striking from a religious-historical comparison with the notion of the threefold heaven in *Enuma Elish*.⁷² God as creator instead stands fundamentally beyond the creational works of heaven and earth. He is not simply above the heavenly flood, which arises, for example, from Ps 29:10:⁷³

YHWH is enthroned over the flood [למבול];⁷⁴ YHWH reigns as king forever [לעולם].

The Priestly document maintains a basic silence on such localizations of God's residence above the heavens or the waters of heaven.⁷⁵ The only recognizable means by which God comes into contact with the creation is through speaking to it or to humans, but the location from which this comes remains unstated in the Priestly primeval history. The subsequent narrative of the Priestly document, which depicts the ancestral and exodus period, remains true to this basic position. God—that is, with regard to his residence—cannot be considered together with the world.

In the time of the ancestors, God can appear (ראה *niphal*) to Abraham (Gen 17:1) and Jacob (Gen 35:9; 48:3) in the Priestly document. The texts do not, however, describe in more detail how one should conceive of the

FRLANT 115 (Göttingen: Vandenhoeck & Ruprecht, 1981), 72–83; Manfred Görg, “רָקִיעַ,” *TDOT* 13:646–53.

72. See Benjamin R. Foster, “Epic of Creation,” *COS* 1.111:391–402; cf. esp. 5.145. The question of the literary or tradition-historical relationship between Gen 1 and *Enuma Elish* is, however, controversial. See Michaela Bauks, *Die Welt am Anfang: Zum Verhältnis von Vorwelt und Weltentstehung in Gen 1 und in der altorientalischen Literatur*, WMANT 74 (Neukirchen-Vluyn: Neukirchener Verlag, 1997), 299–300.

73. Similar to Ps 29:10, 104:2–3 conceives of YHWH as “the one who stretches out the heavens like a tent roof, who makes his upper chambers in the waters.” See also the above-mentioned texts of Neh 9:6 and Ps 104:4.

74. On the adverbial *lamed* see Ernst Jenni, *Die Präposition Lamed*, vol. 3 of *Die hebräischen Präpositionen* (Stuttgart: Kohlhammer, 2000), 260. The fact that Ps 29:10—presumably a reinterpretation of Ps 29:1–9 (see Reinhard G. Kratz, “Der Mythos vom Königtum Gottes in Kanaan und Israel,” *ZTK* 100 [2003]: 157, see also the references to *KTU* 1.2.iii.4)—should be understood in a cosmological sense and not simply as meaning YHWH's reign over the chaos waters arises from the terminological choice of *מבול* (instead of, say, *תהום*) and the implied allusion to Gen 6–8.

75. Contra Niehr, “Himmel, Hölle, Fegefeuer,” 64, for whom in the Priestly document “YHWH [is enthroned] in the heavens.” There is no evidence for this.

process of this appearance, which seems to transpire solely through hearing. The appearance in Gen 17 concludes with God's ascension (יָעַל) from upon (מֵעַל) Abraham (17:22b). One can naturally think here initially of the direction of God's ascension toward the (unnamed) heavens, but the Priestly document does not say that God lives there. The description of these divine appearances, which the Priestly document strictly limits to the pre-Mosaic periods, is evidently consciously omitted. Where God lives cannot be determined in cosmological terms.

One can also surmise that the divine appearances of the ancestral period in the Priestly document, which do not serve as charismatic interventions in the story but solely to give the promise, are thought of as exceptional. God does not appear to the ancestors in order to make himself known here and there to the world such that he will continue to make himself known, but rather because he provides his promise to the ancestors once and for all. God's appearing in the Priestly document is, therefore, fundamentally theological and—analogueous to the overall character of the Priestly document⁷⁶—limited to the primordial time.

The Priestly document draws up a concrete conception of divine condescension exclusively for the Mosaic period. It is connected with the theologically central statement of "God's dwelling [שָׁכַן]" in the midst of his people in Exod 29:45–46,⁷⁷ which appears at the end of the long divine speech of Exod 25–29:

- A And I will dwell in the midst of the Israelites
and I will be their God,
- B and they will know, *that I am YHWH, their God*, who led them out
of the land of Egypt,
- A' In order [לְ] to dwell in their midst,
I am YHWH their God.

The importance of this pronouncement for the Priestly document arises from the fact that the goal of the exodus from Egypt was not the same as what was found in preexisting tradition of leading them "into the land of

76. See Lohfink, "Die Priesterschrift und die Geschichte."

77. See Janowski, *Sühne*, 322, 324; Janowski, "Ich will in eurer Mitte wohnen," 184–86; Janowski, "Tempel," 52–54; Pola, *Die ursprüngliche Priesterschrift*, 337–38. See also Köckert, "Leben in Gottes Gegenwart"; Blum, *Komposition des Pentateuch*, 297–301.

Canaan, but YHWH's 'dwelling' in the midst of the Israelites."⁷⁸ However, does this statement of "God's dwelling in the midst of his people" not contradict the thesis of the basic juxtaposition of God on one hand to "heaven and earth" on the other in the Priestly document?

On the contrary, one can recognize the closer determination of this goal in that the Priestly document places total emphasis on the conception of God's fundamental transcendence through the condescending of God's "glory" (כבוד) in the form of his presence for the period of Moses/Israel.⁷⁹ Support comes in the further priestly mentions of שכן in Exod 24:16; 25:8; and 40:34–35.⁸⁰

And YHWH's glory dwelt [שכן] on Mount Sinai, and the cloud covered the mountain for six days; then, on the seventh day, he called to Moses out of the cloud. (24:16)

And they should build me a sanctuary so that I may dwell [שכן] in their midst. (25:8)

For the cloud covered the holy tent, and YHWH's glory [כבוד יהוה] filled the dwelling. And Moses was unable to enter the holy tent because the cloud [ענן] dwelt [שכן] upon it, and YHWH's glory filled the dwelling. (40:34–35)

78. Janowski, "Tempel," 54: "in das Land Kanaan, sondern das 'Wohnen' JHWHs inmitten der Israeliten"; see also Janowski, "Ich will in eurer Mitte wohnen," 184–86; Matthias Köckert, "Das Land in der priesterlichen Komposition des Pentateuch," in *Von Gott reden: Festschrift für Siegfried Wagner*, ed. Dieter Vieweger and Ernst-Joachim Waschke, Beiträge zur Theologie und Exegese des Alten Testaments (Neukirchen-Vluyn: Neukirchener Verlag, 1995), 152–53 ("God's 'staying in order to meet' in the tent took the place of the gift of the land or leading into the land in the prepriestly tradition" ("Das 'auf Begegnung zielende Verweilen' Gottes im Zelt hat den Platz eingenommen, den in der vor-priesterlichen Tradition die Landgabe oder die Hineinführung ins Land inne hatten").

79. The Priestly document is only familiar with one more "appearance" (ראה *niphal*) of God's "glory" (כבוד) (see Exod 16:10; Lev 9:23); see on these texts Ursula Struppe, *Die Herrlichkeit Jahwes in der Priesterschrift: Eine semantische Studie zu kebôd YHWH*, ÖBS 9 (Klosterneuburg: Österreichisches Katholisches Bibelwerk, 1988).

80. Pola, *Die ursprüngliche Priesterschrift*, 295–96 n. 263, contests the belonging of 40:34–35 to P⁸ within the framework, however, of an extraordinarily minimalistic determination of P⁸.

“God’s dwelling in the midst of his people” is, therefore, an elliptically concentrated formulation for a dynamic picture that emanates, on one hand, from the “dwelling of the cloud” and, on the other, from the presence of YHWH’s glory (כבוד יהוה) in the tent of meeting, the primordial image of the temple.⁸¹ According to the Priestly document, God himself dwells precisely neither in heaven nor in the temple, but he instead differentiates himself fundamentally as creator from the creation.

What symbolic function does this sharp separation between God and the world fulfill together with the introduction of a special earthly form of divine presence, his “glory”? One must answer this question in light of an extensive description of the theology of the Priestly document, that is, its doctrine of God. Within the framework of this essay, it must suffice to note that the fundamental priestly disjunction between creator and creation first enables God’s proximity to the world in a qualitatively new sense.⁸² Once separated, it can be connected in the sense of the priestly theology with the divine proximity. According to the Priestly document, there is no worldly sphere—such as the heavens—that would be closer to God than any other. Instead, all regions of the world are equally immediate to God. However, this does not hinder the Priestly document from developing a concrete conception of the form of God’s cultic proximity in the glory of YHWH (כבוד יהוה).

31.5.2. Job

The book of Job develops the notion of a heavenly court in its two so-called heavenly scenes in Job 1–2 that is clearly set off from the earth, the place from which the satan enters and to which he can return. However, it is never mentioned that these scenes actually take place in heaven. Even if only for this reason, one should exercise caution about moving the conception of God in the book of Job close to the celestialization of God. The title “God of heaven” never appears in the book of Job, and especially the theology of the book of Job allows for the deduction of a decidedly discontinuous conception of God juxtaposed to heaven and earth.⁸³ If

81. In the late Priestly texts of Num 9:17, 22; 10:12, the cloud only appears to function as a signal for the camp; see Manfred Görg, “שָׁכָן,” *TDOT* 14:701.

82. See nn. 26–28, above.

83. For the following in more detail see Konrad Schmid, “Das Hiobproblem und der Hiobprolog,” in *Hiobs Weg: Stationen von Menschen im Leid*, ed. Manfred Oeming

one takes the dramatic sequence of the book seriously, then the book of Job reveals the progressive elimination of all possibilities of theological speech about God. Neither the speeches of the friends, nor the divine speeches that remain completely silent about the text from Job 1–2, nor even the thoroughly fantastic prologue itself could be considered the final word about God. Whoever or whatever God is, this remains fundamentally removed from human thought and understanding according to the book of Job. There is no *analogia entis* (analogy of being) between the world and God. Therefore, it should not come as a surprise that the book of Job does not advocate a celestializing notion of God. God is so other from the world, also so other from the heavens, that he could not dwell or be enthroned here.

While several of the attestations of heaven in the book of Job could certainly allow for consideration of the notion that God dwells above the heavens (see, e.g., 22:14 and often) and acts upon the earth from there, these texts do not allow for any (or at least no immediate) inference of the cosmological-theological conception of the author. They are all encountered in the mouths of the actors within the narrative.⁸⁴ Several of the attestations in the divine speeches (38:29, 33; 41:3) occupy a certain special place, these in particular do not allow for the recognition of a localization for God's residence.⁸⁵ On this background, the designation of God's answer to Job from the "whirlwind" (*מִן הַסְעָרָה* [*sic*] Job 38:1) itself proves especially significant. In the book of Job, the event of the divine speeches specifically does not begin in heaven, as one could expect, not in the least from the analogous statements by Job and the friends.

However, one would abbreviate the depiction of the theology of the book of Job if one reduced it to the establishment of God's fundamental withdrawal from humans. This aspect naturally forms a foundational

and Konrad Schmid, BThSt 45 (Neukirchen-Vluyn: Neukirchener Verlag, 2001), 9–34; trans., "The Prologue to the Book of Job and the Problem of Job," in *Jobs Journey: Stations of Suffering*, ed. Manfred Oeming and Konrad Schmid, CrStHB 7 (Winona Lake, IN: Eisenbrauns, 2015), 1–25.

84. The only exception is 2:12: Job's friends sprinkle ashes upon their heads "toward heaven" (*הַשָּׁמַיִם*).

85. While Job 41:3 allows for consideration of an above-below relationship ("Everything that is under the heavens belongs to me" *תַּחַת כָּל הַשָּׁמַיִם לִי הוּא*), the designation *תַּחַת* here actually serves only as the determination of the earthly realm (as in Ecclesiastes) and cannot be interpreted in the sense of an extrapolation of the designation of God's residence "above the heavens."

moment of the structure of pronouncements in the book of Job, but humans can still approach God through complaint. The cosmology of the book of Job maps out a dynamic view of the world that includes both those things that supports life and the elements hostile to it,⁸⁶ through which individual humans, like Job, can certainly fall into ruin. In the book of Job, the world appears, in contrast to the above-mentioned psalms, not as a sphere, according to human standards, thoroughly ordered under the authority of the royal God enthroned in heaven. God certainly has all the power, but this power also includes possibly destructive actions by created beings. In all this, however, God is approachable. While it remains impossible to speak *about* him, it is possible to speak *to* him (לֹא Job 42:7).⁸⁷ God's withdrawal in the book of Job therefore reveals two sides: on the one hand God's divinity celebrates it, and on the other it illustrates possibilities for relationship between creator and creation in a dynamic arrangement.

31.6. Mixed Conceptions

In addition to texts that strictly remove God from heaven and earth, one can observe mixed conceptions in late texts of the Hebrew Bible and in intertestamental literature. While they link God with the heavens, at the same time they place the highest value on his lack of boundedness to the world and his otherworldliness also in relation to the heavens. These texts do not form a coherent group, but they show that the concern for the strictly separate conceptions of God and world in completely different forms—in continuation and transformation of celestializing and cosmo-theistic conceptions—could occur in literary form. In this connection one can mention: 1 Kgs 8:27 (§31.6.1); Ezek 1 (§31.6.2); Isa 40–55

86. See Manfred Oeming, “‘Kannst du der Löwin ihren Raub zu jagen geben?’ (Hi 38,39): Das Motiv des ‘Herrn der Tiere’ und seine Bedeutung für die Theologie der Gottesreden Hi 38–42,” in *“Dort ziehen Schiffe dahin”: Collected Communications to the XIVth Congress of the International Organization for the Study of the Old Testament, Paris 1992*, ed. Matthias Augustin and Klaus-Dietrich Schunck, BEATAJ 28 (Frankfurt am Main: Lang, 1996), 147–63; Klaus Baltzer and Thomas Krüger, “Die Erfahrung Hiobs: ‘Konnektive’ und ‘distributive’ Gerechtigkeit nach dem Hiob-Buch,” in *Problems in Biblical Theology: Essays in Honor of Rolf Knierim*, ed. Henry T. C. Sun (Grand Rapids: Eerdmans, 1997), 27–37, esp. 35.

87. See Manfred Oeming, “Ihr habt nicht recht von mir geredet wie mein Knecht Hiob: Gottes Schlusswort als Schlüssel zur Interpretation des Hiobbuchs und als kritische Anfrage an die moderne Theologie,” *EvT* 60 (2000): 103–16.

(§31.6.3); Gen 22 (§31.6.4); 1 En. 14 (§31.6.5); and the manner of speaking of “God” as “heaven” (§31.6.6).

31.6.1. 1 Kings 8:27

Within 1 Kgs 8 (see above, §31.1.1), verse 27 formulates a precision of the notion of God’s throne in the heavens, which is generally viewed as a literary addition.⁸⁸ This verse (8:27) evidently attempts to hinder the misunderstanding that the heavens or rather the “heavens of the heavens” would be able to house God, therefore being in some way bigger than God.

Should God truly dwell upon the earth? Look, the heavens, even the heavens of the heavens themselves are unable to hold [בֹּלַל *pilpel*] you, how much less this house that I have built? (1 Kgs 8:27)

When read according to context, God is enthroned in heaven, but 8:27 maintains that heaven, and even the heavens of heaven, are unable to “hold” (בֹּלַל *pilpel*) God (just as, e.g., according to Jer 2:13 a cistern can “hold” water).⁸⁹

The formulation שְׁמַי הַשָּׁמַיִם “the heavens of the heavens” (Deut 10:14; 1 Kgs 8:27; 2 Chr 2:5; 6:18; Neh 9:6; Ps 148:4; cf. Ps 115:16 [LXX; Vulg.⁹⁰]; 3 Macc 2:15; Sir 16:18; 1 En. 1.5; 60.1; 71.5), which sounds as if it conceives of a plurality of heavens, likely arises from Mesopotamian tradition especially from the first millennium BCE, even if there is only slim evidence

88. On the question whether 8:27 represents an interpolation in its context see Noth, *Könige*, 184–85; Metzger, “Himmlische und irdische Wohnstatt Jahwes,” 153 n. 39; Würthwein, *Das erste Buch der Könige*, 97; Talstra, *Solomon’s Prayer*, 231–32; Martin J. Mulder, *1 Kings 1–11*, vol. 1 of *1 Kings*, HCOT (Leuven: Peeters, 1998), 413–15.

89. The parallel to 1 Kgs 8 in 2 Chr 6 shows an evidently unbiased expression with regard to the localization of the divine throne in heaven. The expression “in heaven” is used in 1 Kgs 8 as the designation of the divine throne and hearing of prayers as a circumstantial accusative (“Accusative of local determination” [Joüon, §126*h*]; הַשָּׁמַיִם; 8:30, 32, 34, 36, 39, 43, 45, 49, cf. 8:22, 54) and avoids, perhaps consciously, the use of a spatially determining preposition such as ב, while 2 Chr 6 (except for 6:27) in each case employs the expression “from heaven” (מִן הַשָּׁמַיִם; 6:21, 23, 25, 30, 33, 35, 39). The preposition מן naturally allows one to conceive of God’s location in heaven, “from where” he can hear prayers, like the more open means of expression with the circumstantial accusative in 1 Kgs 8.

90. See Houtman, *Der Himmel*, 341–42.

for it there.⁹¹ Information on this conception emerges within the Hebrew Bible primarily from Neh 9:6 and Ps 148:4:

You alone are YHWH;
 you have made the heavens [השמים],
 the heavens of the heaven [שמי השמים] and its whole host,
 the earth and everything upon it,
 the seas and everything that is in them.
 And you maintain everything living, and the heavenly host worship you.
 (Neh 9:6)

“Heaven” and “the heavens of the heaven” stand juxtaposed, analogous to “earth” and “seas.” It is striking that Neh 9:6 places “seas” in the plural (הימים) in order that one can reckon through parallelism that שמי השמים should also be translated as a plural: “the *heavens of the heaven*” (assuming one does not reckon with an elative formulation). Therefore, behind Neh 9:6 is likely the notion of three, or more than three, heavens rather than only two heavens.

Praise him, sun and moon,
 praise him, all you shining stars.
 Praise him, you heavens of the heavens
 and you waters above [מעל] the heavens. (Ps 148:4)

91. On the Mesopotamian tradition, see Adela Yarbro Collins, “The Seven Heavens in Jewish and Christian Apocalypses,” in Collins and Fishbane, *Death, Ecstasy, and Other Worldly Journeys*, 62: “The idea [of a plurality of heavens] most likely became more common among Jews from the time of the Babylonian exile and indicates the influence of Babylonian cosmology on Jewish writers.” See George W. E. Nickelsburg, *1 Enoch 1: A Commentary on the Book of 1 Enoch, Chapters 1–36, 81–108*, Hermeneia (Minneapolis: Fortress, 2001), 145; Hans Bietenhard, *Die himmlische Welt im Urchristentum und Spätjudentum*, WUNT 2 (Tübingen: Mohr, 1951), 3–6; J. Belzer, “Himmel,” *NBL* 7:153. On the plurality of heavens in Mesopotamia see Wilfred G. Lambert, “The Cosmology of Sumer and Babylon,” in *Ancient Cosmologies*, ed. Carmen Blacker and Michael Loewe (London: Allen & Unwin, 1975), 44–45, 58; Horowitz, *Mesopotamian Cosmic Geography*, 208–20. As for evidence, “Only the lists of KAR 307 and AO 1896 and *Enuma Elish* provide clear evidence that the heavens consist of the sky and more than one level above the sky” (Horowitz, *Mesopotamian Cosmic Geography*, 243, on KAR 307 and AO 1896 see the analysis on pp. 3–19; Hartenstein, “Wolkendunkel und Himmelsfeste,” 142–43). On *Enuma Elish* see esp. 5.145.

In Ps 148:4 as well, the “heavens of the heavens,” are plural on the basis of the plural imperative, and they exist above the visible heaven that arches over the earth.⁹² This text as well indicates the supposition of three heavens.

The later configuration in T. Levi 2.7–10 may perhaps illustrate to some degree how one should conceive of this tiered heaven:

And I entered the first heaven, and I saw water hanging there. And then I saw a second heaven, much more glorious and brighter. For there was a limitless height in it. And I said to the angel: Why is this so? And the angel said to me: Do not marvel at this, for you will see another heaven, (still) more glorious and incomparable. When you reach it:
You will stand before the Lord
And you will be his servant.”⁹³

In addition to three heavens (see also 2 Cor 12:2) post-Hebrew Bible texts also attest to five (3 Bar. 11.1), seven (T. Levi 3.1–10; 2 En. 20.1; 21.2; Apoc. Ab. 10.8) or—in a reworked form of 2 Enoch—ten heavens (2 En. 20.3; 21.6; 22.1).⁹⁴ In Jub. 2.2 the exact number of the heavens created on the first day remains open: “For on the first day he created the heavens that are above the heavens.”⁹⁵ The same is the case for 1 En. 39.3; 71.1, 5.

31.6.2. Ezekiel 1

Especially Keel has investigated the cosmological implications found in the call vision of Ezek 1 as a description of an image (“below,” “above,” “left,” “right,” etc.) that attempts to depict heaven and YHWH’s throne (see also

92. See the discussion in Houtman, *Der Himmel*, 338–39, 341 n. 19.

93. Translation follows Jürgen Becker, *Die Testamente der zwölf Patriarchen*, JSHRZ 3.1 (Gütersloh: Mohn, 1974), 48.

94. On 2 Cor 12:2, see Ulrich W. Mauser, “‘Heaven’ in the World View of the New Testament,” *HBT* 9 (1987): 31–51. For the text-critical and composition-critical discussion and on the relationship between T. Levi 3.1–10 and T. Levi 2:7–10, see Jürgen Becker, *Untersuchungen zur Entstehungsgeschichte der Testamente der zwölf Patriarchen*, AGJU 8 (Leiden: Brill, 1970), 260 and n. 1. In addition to Apoc. Ab. 10.8, see also the rabbinic evidence in Bietenhard, *Die himmlische Welt*, 5–6. on 2 Enoch, see Christfried Böttrich, *Das slavische Henochbuch*, JSHRZ 5.7 (Gütersloh: Mohn, 1995), 889.

95. Klaus Berger, *Das Buch der Jubiläen*, JSHRZ 2.3 (Gütersloh: Mohn, 1981), 322.

Ezek 10).⁹⁶ The opening of the book in Ezek 1–3, if one follows Karl-Friedrich Pohlmann, presupposes the *golah*-oriented interpretation, therefore belonging to the postexilic period.⁹⁷ Ezekiel 1 introduces, already in 1:1, the programmatic statement that the “heavens opened” (נפתחו השמים), and Ezekiel then saw “divine visions.” What the prophet then sees are—according to the conjectured basic inventory of 1:4–28—four human-like beings with four wings and feet of a bull, over whose heads a plate (רקיע) is visible, over which a lapis lazuli shape looms, which looks like a throne on which a human-like being sits.⁹⁸ The basic disposition of this composition is closely related to the imagery of several Neo-Assyrian and Persian seals. A cylinder seal from the time of Assurbanipal (669–629/621 BCE) provides an exemplary attestation of this similarity (fig. 31.1).⁹⁹

The notion of the imagined cosmological constellation evidently stands in the background of Ezek 1. Like the Neo-Assyrian seal, the book of Ezekiel reckons with a heavenly plate born by hybrid beings (in this case with wings), and the plate separates the earthly and divine spheres. Unlike the seal, the book of Ezekiel instead places the divine figure above the plate rather than on the plate itself.

According to Ezek 1, God does not reign in the temple in Jerusalem, nor on the heavens, but rather *above* the heavenly firmament. Consequently, he is dissociated from the temple and can therefore also be God for those deported to Babylon. On the other hand, however, the transformation of the preexisting pictorial tradition by Ezek 1 illustrates clearly that the heavens are heaven, and God reigns above the heavens.

31.6.3. Isaiah 40–55

Where statements related to God’s throne appear within Isa 40–55, one initially conceives of an internal relationship with the above-mentioned

96. Keel, *Jahwe-Visionen*; Keel, “Herrlichkeiterscheinung.”

97. Karl-Friedrich Pohlmann, *Der Prophet Hesekiel/Ezechiel: Kapitel 1–19*, ATD 22.1 (Göttingen: Vandenhoeck & Ruprecht, 1996), 55–57.

98. Keel, “Die Herrlichkeiterscheinung,” 144.

99. Hilde Keel-Leu and Beatrice Teissier, *Die vorderasiatischen Rollsiegel der Sammlungen “Bibel + Orient” der Universität Freiburg Schweiz*, OBO 200 (Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 2000), seal num. 236; cf. the discussion in Keel, “Die Herrlichkeiterscheinung,” 144–45; see also Christoph Uehlinger and Susanne Müller Trufaut, “Ezekiel 1, Babylonian Cosmological Scholarship and Iconography: Attempts at Further Refinement,” *TZ* 57 (2001): 140–71.

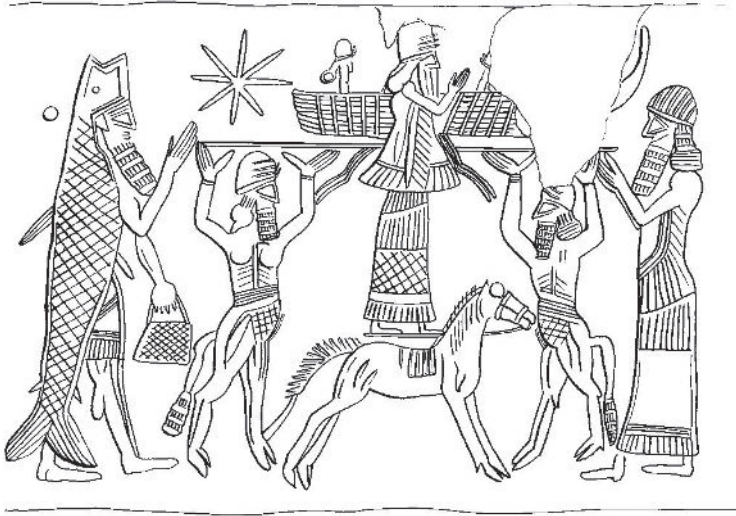


Fig. 31.1. Cylinder seal line drawing. Source: Keel-Leu and Teissier 2000. © Foundation BIBLE+ORIENT, Fribourg, Switzerland. The scene reveals a winged deity in the middle standing on a horse and connected with a plate in the hip area that is carried by two bull people. Above left is an eight-pointed star. Above right one can make out a moon crescent. The drawing is framed on the left by a priest in a fish garment and on the right by a person facing the deity and praying. This ensemble clearly indicates that the deity concerns the anthropomorphic form of the sun god, who is integrated into the heavenly firmament, which itself is carried by hybrid creatures.

Psalms texts (see above, §31.2.2). However, the attestations in Isa 40–55 have different contours. Isaiah 40:22 states that YHWH is “enthroned above the world.”

For you enthroned above the world, the inhabitants of the earth are like grasshoppers. (Isa 40:22)

While this text employs immediate associations with a heavenly place of enthronement analogous to the above-mentioned psalms, this place remains unstated. In particular, the comparison of the humans with grasshoppers indicates that God has just as much—or rather, just as little—to do with the world (and therefore also with the heavens) as humans do with grasshoppers. According to Isa 40:22, God relates to the world in a manner with hardly less discontinuity than in Gen 1. The basic monotheistic viewpoint of both texts appears to provide the guiding determination of the relationship.

31.6.4. Genesis 22

The narrative of the sacrifice of Isaac in Gen 22, a Persian-period reinterpretation of the Abraham cycle, is related to the book of Job not only thematically, but literarily.¹⁰⁰ The conception of God in Gen 22 is similarly separate from the world in a fundamental manner as in the book of Job. The heavens do play a certain role in the narrative (22:11, 15, 17). However, one should maintain caution when speculating about a celestializing conception of God behind this reference. The conception of the angel is celestialized in Gen 22.¹⁰¹ In Gen 22 the angel of God (מלאך יהוה) intervenes “from heaven” (מִן הַשָּׁמַיִם in 22:11, 15) into the event in 22:11–19, after God himself gave Abraham the command to offer his son Isaac as a burnt offering. If there are also considerations in cases like the one from

100. On Gen 22, see in detail Konrad Schmid, “Returning the Gift of the Promise: The ‘Salvation-Historical’ Sense of Genesis 22 from the Perspective of Innerbiblical Exegesis,” ch. 17 in this volume. The Persian-period reinterpretation has been shown especially by Timo Veijola, “Das Opfer des Abraham: Paradigma des Glaubens aus dem nachexilischen Zeitalter,” *ZTK* 85 (1988): 129–64; cf. recently also Otto Kaiser, “Die Bindung Isaaks: Untersuchungen zur Eigenart und Bedeutung von Genesis 22,” in *Zwischen Athen und Jerusalem: Studien zur griechischen und biblischen Theologie, ihrer Eigenart und ihrem Verhältnis*, BZAW 320 (Berlin: de Gruyter, 2003), 199–224. In general, see Timo Veijola, “Abraham und Hiob: Das literarische Verhältnis von Gen 22 und der Hiob-Novelle,” in *Vergegenwärtigung des Alten Testaments: Beiträge zur biblischen Hermeneutik: Festschrift für Rudolf Smend zum 70. Geburtstag*, ed. Christoph Bultmann, Walter Dietrich, and Christoph Levin (Göttingen: Vandenhoeck & Ruprecht, 2002), 127–55; Andreas Michel, “Ijob und Abraham: Zur Rezeption von Gen 22 in Ijob 1–2 und 42,7–17,” in *Gott, Mensch, Sprache: Festschrift für Walter Gross zum 60. Geburtstag*, ed. Andreas Michel and Herman-Josef Stipp, *ATSAT* 68 (St. Ottilien: EOS, 2001), 73–98.

101. See Veijola, “Das Opfer des Abraham,” 152, emphasis original: “Different than usual in the ancestral narratives, this angel (*mal’ak*) is not a divine messenger that appears in bodily form upon the earth (cf. Gen 16:7–13; 19:1–22; 28:12; 31:11–13; 32:2; 48:16), but rather an actual ‘angel,’ a heavenly being that speaks to Abraham *from heaven*” (“Anders als sonst in den Erzvätererzählungen, ist dieser Engel (*mal’ak*) nicht ein Bote Gottes, der leibhaftig auf der Erde erscheint (vgl. Gen 16,7–13; 19,1–22; 28,12; 31,11–13; 32,2; 48,16), sondern ein wirklicher ‘Engel’, ein himmlisches Wesen, das Abraham *vom Himmel her* anredet”). On the problem, see Klaus Koch, “Monotheismus und Angelologie,” in *Ein Gott allein? Jahweverehrung und biblischer Monotheismus im Kontext der israelitischen und altorientalischen Religionsgeschichte*, ed. Walter Dietrich and Martin A. Klopfenstein, *OBO* 139 (Fribourg: Presses Universitaires; Göttingen: Vandenhoeck & Ruprecht, 1994), 565–81.

Gen 22 (see also, e.g., Exod 3) that reckon with a composition-critical addition of מלאך before יהוה,¹⁰² arising from the attempt to hinder the plain appearance of God himself, then the wordplay of מלאך “messenger/angel” in 22:12 and מאכלת “knife” in 22:10 instead indicates the originality of the angel.

The observable tension between God and his angel in Gen 22 likely connects to the fact that the text, on the one hand—in keeping with its content, which demands nothing less from the recipient of the promise, Abraham, than the return of Isaac, the bearer of the promise on whose survival the increase into a great nation depends—with the attempt to guard God’s fundamental transcendence and freedom. While on the other hand, it must report God’s intervention through his angel “from heaven” into the sacrificial event. The angel in Gen 22 could therefore be understood to signify that God does not simply live in heaven according to this narrative, but rather that divine intervention, which, however, according to the view of Gen 22 is hardly less exceptional than the test designated for Abraham, takes place from heaven.

31.6.5. 1 Enoch 14

Quite specific, even if in the end veiled, statements about God’s heavenly throne appear in the Enoch tradition, in particular in 1 En. 14. It has become clear since the discoveries of the manuscript evidence from Qumran that their formation must reach back into the third century BCE. The fragments reckoned as belonging to 4Q201 (4QEn^aar) date paleographically to the first decade of the second century BCE. On the basis of their specific orthography, however, one can conjecture that they represent the transcription of an earlier roll. Still somewhat earlier are the fragments from 4Q208 (4QEnastr^aar), which belong at the turn of the third to the second century BCE.¹⁰³

In 1 En. 14 Enoch sees the place of God’s throne in a dream (14.2). He is taken up into heaven and then sees the following:

102. Cf. Samuel A. Meier, “Angel of Death,” *DDD*, 53–59.

103. See the discussion in Józef T. Milik, *The Books of Enoch: Aramaic Fragments of Qumran Cave 4* (Oxford: Clarendon, 1976); Hartmut Stegemann, “Die Bedeutung der Qumranfunde für die Erforschung der Apokalyptik,” in *Apocalypticism in the Mediterranean World and the Near East*, ed. David Hellholm, 2nd ed. (Tübingen: Mohr Siebeck, 1989), 495–509; Nickelsburg, *1 Enoch* 1, 9–11.

And I entered until I was near a wall that was built of hailstones, into the tongues of fire and I drew near to a large house that was built from hailstones, and the wall of that house (was) like a mosaic of hailstones, and its floor (was of) hail, its ceiling like the path of the stars and (like) lightning, and between (were) fiery cherubim, and its heaven (was of) water, and flaming fire surrounded the wall, and its door burning with fire. And I entered into that house, and it was hot like fire and cold like snow, and there was no pleasure of life in it. Fear covered me, and trembling seized me. And I shook and trembled, and I fell down upon my face; and I saw in the vision: Look, (there was) another house, greater than that one, and the door was completely open before me, and it was built of tongues of fire. And in everything it was so extraordinary in glory, magnificence, and greatness, that I am unable to describe its glory and greatness to you. And its floor (was) of fire, and above it (was) lightning and the paths of the stars, and its ceiling flaming fire. And I observed and saw in it a high throne, and its appearance (was) like hoarfrost, and its perimeter (was) like the sun that shines, and (like) the sound of the cherubim. And underneath the throne, streams of flaming fire issuing, and I was not able to look at it. And the Great Glory sat upon it, and its gown was shining like the sun and whiter than all snow. And none of the angels could enter, nor see the face of the excellent and glorious one. And none that have flesh are able to see him. Flaming fire (was) surrounding him, and great fire stood before him, and none of those that were around him approached him, ten thousand times ten thousand (were) before him, but he did not require any counsel. (1 En. 14.9–22)

Contrary to the later Book of Similitudes (chs. 37–71), which reckon with a plurality of heavens (see 39.3; 71.1, 5), 1 En. 14 evidently is only familiar with one heaven but differentiates it sharply through the palace structures found in it.¹⁰⁴ Enoch initially sees a wall and a first building that is already depicted in a completely unworldly manner through the interweaving of fire and ice. This first house is not, however, the place of God's throne, which instead is found in a different building that is apparently of such a completely different quality from this first building that it is impossible to describe its location. And even upon this throne itself in this "other

104. "See ... 14:8–23, where the landmarks of Enoch's journey are not a series of heavens, but the walls and buildings in the heavenly temple complex" (Nickelsburg, *1 Enoch* 1, 145–46, cf. the review in Michael A. Knibb, "Interpreting the Book of Enoch: Reflections on a Recently Published Commentary," *JSJ* 33 [2002]: 437–45). See also Rev 4:1–2.

building,” God himself cannot be seen, but rather “the great glory,” which strikingly recalls priestly linguistic use. It is expressly maintained that “none that have flesh are able to see him.” “Our author’s God is the transcendent, wholly other, heavenly King.”¹⁰⁵

The subsequent tradition history of the Enoch tradition indicates that the reticence found in 1 En. 14 was increasingly surrendered. Therefore, first in the Similitudes (1 En. 37–71): “While Noah also is unable to bear the appearance of the ‘Head of Days’ in 60.1–6, he then receives assistance and remains much more directly exposed to God’s presence. Finally, according to 71.5–17, Enoch sees the ‘Head of Days’ without any covering.”¹⁰⁶ Also, according to 2 En. 22.1–2, 6, Enoch is able—in contrast with 1 En. 14, not in the inner palace of one heaven but in the highest (seventh or tenth)¹⁰⁷ heaven—to see God, but Enoch must undertake the transformation into a “glorious one of the Lord” in order to do it (22.8, 10).

31.6.6. “God” as “Heaven”

In the intertestamental period, as already seen in Dan 4:23, “heaven” can be used as a terminological paraphrase for God himself. This appears in 1 En. 6.2 (“sons of heaven” in direct reception of “sons of God” from Gen 6:2); 13.8; 14.3; 1QS IV, 22; XI, 7–8; 1QH XII, 22 and frag. 2:10; 1 Macc 3:50, 60; 4:10, 24, 40, 55; 9:46; 12:15; compare 2 Macc 2:10. This usage is also known from the New Testament, in addition to broad evidence apparently from the Jewish-Christian background in Matthew (“kingdom of heaven” instead of “kingdom of God”),¹⁰⁸ mentions should be made of Mark 11:30–31; Luke 15:18.¹⁰⁹

This evidence would be misunderstood if one interpreted them as the identification of heaven and God. Instead, a synecdochal use of language

105. Nickelsburg, *1 Enoch* 1, 260.

106. Christfried Böttrich, “Konturen des ‘Menschensohnes’ in äthHen 37–71,” in *Sänger, Gottessohn und Menschensohn*, 68: “Zwar vermag Noah auch in 60,1–6 den Anblick des ‘Hauptes der Tage’ nicht zu ertragen, erhält nun aber Hilfestellung und bleibt der Gottesgegenwart sehr viel direkter ausgesetzt. Nach 71,5–17 schliesslich sieht Henoch das ‘Haupt der Tage’ ohne jede Verhüllung.”

107. See n. 94, above.

108. See Ulrich Luz, *Das Evangelium nach Matthäus (Mt 1–7)* (Neukirchen-Vluyn: Neukirchener Verlag, 1985), 144–45.

109. See Nickelsburg, *1 Enoch* 1, 176 and n. 1. On the rabbinic passages, see Str-B 1:862–65.

appears. Heaven stands for God, who naturally is more and different, even completely other. This becomes especially apparent through the consideration that heaven primarily stands for God in composite formulations ("kingdom of heaven," "sons of heaven," "will of heaven") or as a direction for prayer ("call to heaven"). One could therefore even say that the supposed secularizing manner of speaking of God as heaven means exactly the opposite of a secularization in terms of its intention. Because God is completely transcendent, he cannot be called by name, and therefore his court, rather than he himself, is reached through the terminology of "heaven."

31.7. Concluding Considerations

The above considerations attempt to show that the explicit celestialization of God in the theological history of the postexilic period is a noteworthy but by no means linear tradition. It instead demonstrates that, in addition to celestializing ones, cosmo-theistic concepts are also attested. These conceptions offer the notion of a heavenly God that to some degree expands the sanctuary interpretation of the heavens. Furthermore, one can also recognize fundamentally transcending conceptions of God that completely separate God from heaven and earth. Between these conceptual poles, other mixed conceptions spread out.

The symbolic functions connected with each of the various theological and cosmological directions fundamentally focus on one and the same theme of divine proximity, but they allow for the recognition of different accents. The celestializing conceptions of God accompany a marked semantics of hegemony concerning God enthroned in heaven over the world as king. On the basis of his untouchable, powerful position in heaven, God can provide help and deliverance. The cosmo-theological conceptions appear, on the other hand, to distance themselves from this conception. They compensate for the celestialization of God through an interpretation of the cosmos as God's sanctuary, which can go so far as to have heaven and earth virtually function as the holy of holies of the cosmos, which is imagined as a temple. Finally, the theologies that fundamentally differentiate between God and world lay special emphasis on the resulting, qualitatively new, relationship made possible between creator and creation, which are categorically separate from one another.

The historical location of the literary representations of each position does not allow them to be categorized in a linear historical order of devel-

opment. The texts instead demonstrate that these positions evidently did not follow one after another in their historical contexts, but rather quite certainly appear next to one another, which includes rather than excludes critical processes of interaction between them. The problem they address does not reach a conclusion in a sense that resolves a linear theological discussion. The different positions instead are committed to various concerns, which they verbalize in different ways. As such, the postexilic history of theology in ancient Israel maps out fields of theological problematics that the modern histories of theology and philosophy replicate once again.¹¹⁰

110. See n. 19, above.

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